



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3228

DATE FILMED 7/27/95 CAMERA NO. 1

CAMERAMAN EES

95043663313

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 20 November 1990

ANALYST: R. Todd Gerlough

I. COMMITTEE: Dahlson for Congress
(C00242420)
Alfred L. Nilsson, Treasurer
P.O. Box 4426
Van Nuys, CA 91412

II. RELEVANT STATUTE: 2 U.S.C. §441b(a)

III. BACKGROUND:

Receipt of Prohibited Contributions

The Dahlson for Congress committee ("the Committee") has received corporate contributions totalling \$20,000 from the Jack Mayesh Wholesale Florist, Inc. Of this figure, \$19,000 has been refunded but not within thirty (30) days of receipt.

The Committee's 1990 12 Day Pre-Primary Report disclosed one (1) loan totalling \$10,000, designated for the primary, and received on May 2, 1990 from Jack Mayesh^{1/} (Attachment 2). A Request for Additional Information ("RFAI") was sent to the Committee on June 19, 1990. The RFAI informed the Committee that the \$10,000 loan from Jack Mayesh appeared to be an excessive contribution from an individual. Clarification was requested from the Committee (Attachment 3).

The treasurer, Alfred Nilsson, responded in a letter dated June 30, 1990 (Attachment 4). He asserted that the loan from Jack Mayesh was a personal loan from "Mr. Dahlson to himself doing business as Jack Mayesh."

A Second Notice dated July 12, 1990 was sent inquiring as to whether the \$10,000 loan was drawn on a corporate account (Attachment 5).

^{1/} Jack Mayesh is the name the candidate Roy Dahlson uses when doing business, hence the name of the corporation Jack Mayesh Wholesale Florist, Inc.

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DAHLSON FOR CONGRESS COMMITTEE
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

On July 27, 1990, Dan Carasso, a volunteer for the Committee called the Reports Analysis Division. He explained that the candidate had recently undergone surgery, and that the treasurer was out of town. The RAD analyst addressed Mr. Carasso's belief that the matter had been resolved by voicing the Commission's concern that the loan might have been a corporate contribution. The volunteer admitted that the candidate's company, Jack Mayesh Wholesale Florist, Inc., was a corporation. He was advised on what steps to take to rectify the situation and was encouraged to invite the treasurer to call the analyst with any questions (Attachment 6).

On August 3, 1990, Alfred Nilsson called the Reports Analysis Division. He reaffirmed the volunteer's statement that the candidate's company, Jack Mayesh Wholesale Florist, Inc., was a corporation.^{2/} Mr. Nilsson stressed that the deposit of the corporate contribution was an unintentional violation of the Act. He was advised on how to correct the problem (Attachment 7).

It should be understood that the situation regarding the candidate's loans to the Committee is not clear. The 1990 12 Day Pre-Primary Report (4/1/90-5/16/90) itemized a \$2,332 loan from Roy Dahlson and a \$10,000 loan from "Jack Mayesh" (Attachment 2). The amended 1990 12 Day Pre-Primary Report dated July 5, 1990 only disclosed one loan for \$12,332 from Roy Dahlson with a letter attached to the report which stated that "Jack Mayesh" is the candidate's own corporation (Attachment 8). However, the 1990 July Quarterly Report discloses a total of \$20,500 in candidate loans.^{3/} Schedule A and Schedule C of the 1990 July Quarterly Report itemized three (3) separate loans from Roy Dahlson -- a loan for \$500 received April 4, 1990, a loan for \$10,000 received May 2, 1990, and a loan for \$10,000 received May 21, 1990 (Attachment 9).

In response to the RFAI dated July 12, 1990 and subsequent telephone conversations with the analyst, a letter was received by the Commission dated August 3, 1990 containing copies of two (2) refund checks written on July

2/ A September 11, 1990 call by the analyst to the California corporate status division put the date of incorporation as January 23, 1964.

3/ The 1990 July Quarterly Report incorrectly covers the period 4/1/90 to 6/30/90 rather than 5/17/90 to 6/30/90.

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DAHLSON FOR CONGRESS COMMITTEE
REPORTS ANALYSIS OGC REFERRAL
PAGE 3

27, 1990 to Jack Mayesh Wholesale Florist, Inc. totalling \$19,000. The first check for \$10,000 refunded the candidate's corporate loan of \$10,000. The second check for \$9,000 partially refunded the \$10,000 candidate loan of May 21, 1990. Copies of the candidate's personal checks replacing the corporate checks were also enclosed (Attachment 10). The 1990 October Quarterly Report disclosed the \$19,000 refund to Jack Mayesh Wholesale Florist, Inc. (Attachment 11).

It is not apparent why only \$9,000 of the May 21, 1990 \$10,000 loan was refunded. And the status of the \$2,332 loan originally reported on the 1990 12 Day Pre-Primary Report is not certain.

On October 18 and 19, 1990, the RAD analyst contacted Mr. Nilsson and Mr. Carusso respectively. The analyst questioned the apparent loan discrepancies; however, neither committee representative was able to clarify the issues (Attachment 12). On November 6, 1990, RFAIs for the original and amended July Quarterly Reports were sent to the Committee requesting clarification on the status of the Committee's loans. The RFAIs asked the Committee to clarify if the additional monies received from the candidate were from permissible sources. The RFAIs also asked for clarification of the loans originally reported on the 1990 12 Day Pre-Primary Report (Attachment 13). To date, no response has been received.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

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FEDERAL ELECTION COMMISSION
1979-1990
CANDIDATE INDEX OF SUPPORTING DOCUMENTS (E)

Attachment 1
Page 1 of 1

DATE: 10/17/90

PAGE: 1

CANDIDATE/COMMITTEE/DOCUMENT	RECEIPTS		DISBURSEMENTS		# OF PAGES	MICROFILM LOCATION
	OFFICE SOUGHT	PARTY	PRIMARY	GENERAL		
					COVERED DATES	TYPE OF FILE
DANIELSON, BOY	HOUSE 20 REPUBLICAN PARTY			CALIFORNIA	1990 ELECTION	114 H0000040
1. STATEMENT OF CANDIDATE						
1990 STATEMENT OF CANDIDATE					7MAR90	1 90HSE/392/2092
2. PRINCIPAL CAMPAIGN COMMITTEE						
DANIELSON FOR CONGRESS						ID #000040400 HOUSE
1990 STATEMENT OF ORGANIZATION					7MAR90	1 90HSE/392/2193
48 HOUR CONTRIBUTION NOTICE					25OCT90	1 90HSE/414/0132
48 HOUR CONTRIBUTION NOTICE					29OCT90	1 90HSE/416/2016
48 HOUR CONTRIBUTION NOTICE					1NOV90	1 90HSE/417/0430
APRIL QUARTERLY		500	0		18FEB90 -15APR90	2 90HSE/393/2405 *
FEB-PRIMARY		10,300	11,819		1APR90 -15MAY90	6 90HSE/393/1007 *
FEB-PRIMARY - AMENDMENT		-	-		1APR90 -15MAY90	1 90HSE/400/0860 *
FEB-PRIMARY - AMENDMENT		10,300	11,819		1APR90 -15MAY90	1 90HSE/402/2047 *
REQUEST FOR ADDITIONAL INFORMATION					1APR90 -15MAY90	4 90HSE/403/0004
REQUEST FOR ADDITIONAL INFORMATION 2ND					1APR90 -15MAY90	2 90HSE/403/4000
JULY QUARTERLY		20,510	10,401		1APR90 -30JUN90	5 90HSE/403/3000 *
JULY QUARTERLY - AMENDMENT		-	-		1APR90 -30JUN90	3 90HSE/403/3410 *
OCTOBER QUARTERLY			20,745	27,737	1JUL90 -30SEP90	5 90HSE/406/1730
NOTICE OF FAILURE TO FILE					1JUL90 -30SEP90	1 90HSE/406/4301
FEB-GENERAL			10,213	5,722	1OCT90 -17OCT90	3 90HSE/406/0476
TOTAL		30,342	30,156	25,220	33,459	42 TOTAL PAGES
4. OTHER COMMITTEES						
JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN						

All reports asterisked have been reviewed.

Ending cash-on-hand as of 10/17/90 : \$6808

Outstanding debts owed by the committee as of 10/17/90 : \$10,000

Outstanding debts owed to the committee as of 10/17/90 : \$0

9504366317

SCHEDULE C
(Revised 2/80)

1990 12 Day Pre-Primary Report

Attachment 2
Page 1 of 2

LOANS

Form 1041-1
Use separate schedules
for each numbered line

Name of Committee (in Full)			
Dahlson For Congress			
A. Full Name, Mailing Address and ZIP Code of Loan Source		Original Amount of Loan	Outstanding Payment To Date
Roy Dahlson 13601 Brownrich St., Arlote, CA 91301		8322.00	8322.00
Election <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (Specify)			Balance Outstanding at Close of This Period
Terms Date Incurred 1-28-90 Date Due Interest Rate 0 % <input type="checkbox"/> Secured <input type="checkbox"/> Unsecured			
List All Endorsers or Guarantors (if any) to Item A Roy Dahlson			
1. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Description		
	Amount Guaranteed Outstanding		
2. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Description		
	Amount Guaranteed Outstanding		
3. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Description		
	Amount Guaranteed Outstanding		
B. Full Name, Mailing Address and ZIP Code of Loan Source		Original Amount of Loan	Outstanding Payment To Date
Jack Hayesh 7312 San Julien St., Los Angeles, CA 90014		10000.00	10000.00
Election <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (Specify)			Balance Outstanding at Close of This Period
Terms Date Incurred 5-2-90 Date Due Interest Rate 0 % <input type="checkbox"/> Secured <input type="checkbox"/> Unsecured			
List All Endorsers or Guarantors (if any) to Item B None			
1. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Description		
	Amount Guaranteed Outstanding		
2. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Description		
	Amount Guaranteed Outstanding		
3. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Description		
	Amount Guaranteed Outstanding		
SUBTOTALS This Period This Page (attach one)			
TOTALS This Period (last page in this file only)			12322.00
Carry outstanding balance only to LINE 3, Schedule D, for this line. If on Schedule D carry forward to appropriate line of Summary			

0501433518

SCHEDULE A

ITEMIZED RECEIPTS

Use separate schedule (A) for each category of the Detailed Summary Page

PAGE 1 OF 2
FOR LINE NUMBER 13

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

DAHLACK FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code Roy Dahlson 13401 Broadway St.,	Name of Employer Self-Employed	Date (month, day, year) 4-28-90	Amount of Each Receipt this Period 2322.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Wholesale Florist Aggregate Year-to-Date \$		
B. Full Name, Mailing Address and ZIP Code Jack Mayesh 7348 San Julian St., Los Angeles, CA 90024	Name of Employer Self-Employed	Date (month, day, year) 5-2-90	Amount of Each Receipt this Period 10000.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Wholesale Florist Aggregate Year-to-Date \$		
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Aggregate Year-to-Date \$		
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Aggregate Year-to-Date \$		
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Aggregate Year-to-Date \$		
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Aggregate Year-to-Date \$		
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Aggregate Year-to-Date \$		

SUBTOTAL of Receipt This Page (options)

TOTAL This Period (last page this line number only)

12322.00

0011439636133500



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

JUN 19 1990

Alfred L. Nilsson, Treasurer
Dahlson For Congress
P.O. Box 4426
Van Nuys, CA 91412

Identification Number: C00242420

Reference: 12 Day Pre-Primary Report (4/1/90-5/16/90)

Dear Mr. Nilsson:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

95043663320
AC
Schedules A and C of your report (pertinent portion attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. An individual or a political committee other than a qualified multicandidate committee may not make a contribution to a candidate for federal office in excess of \$1,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (2 U.S.C. §441a(a) and (f); 11 CFR §110.1(b), (e) and (k))

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with the clarifying information. If the contribution(s) you received exceeds the limits, you should either refund to the donor the amount in excess of \$1,000 or get the donor to redesignate and/or reattribute the contribution in writing. All refunds, redesignations, and reattributions must be made within sixty days of the treasurer's receipt of the contribution. Copies of refund checks and copies of letters reattributing or redesignating the contributions in question may be used to respond to this letter. Refunds are reported on Line 20 of the Detailed Summary and on Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule C of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR §104.8(d)(2), (3) and (4))

AC
Although the Commission may take further legal steps, prompt action by you to refund or seek redesignation and/or reattribution of the excessive amount will be taken into consideration.

-The math calculations for the loans from Roy Dahlson and Jack Mayesh disclosed on Schedule C are incorrect. The original amount of the loan minus the cumulative payment should equal the closing balance.

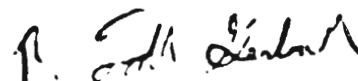
-The beginning cash balance of this report does not equal the ending balance of your April Quarterly report. Please clarify this discrepancy and amend any subsequent report(s) which may be affected by this correction.

-Schedule C of your report fails to include information required by Commission Regulations. You must provide the date incurred, the original source and amount of the loan, the due date, the interest rate, the cumulative payment, and the outstanding balance. Further, if there are any endorsers or guarantors, their mailing address along with the name of their employer and occupation must be disclosed. Please amend your report to include the due date and interest rate. (11 CFR §§100.7(a)(1) and 104.3(d))

95043663321
-When a committee reports receiving a loan from the candidate, it is necessary to clarify whether or not the candidate used his/her personal funds or borrowed the money from a lending institution or any other source. If the candidate borrowed funds from a lending institution, or any other source, please provide the name of the lending institution and the complete terms of the loan. If the loan(s) was from personal funds, please acknowledge that fact in an amendment to this report. It is important to note that "personal funds" is strictly defined by Commission Regulations and may be found in 11 CFR §110.10. (11 CFR §§100.7(a)(1) and 104.3(d))

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to call me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,



R. Todd Gerlough
Reports Analyst
Reports Analysis Division

Dahlson for Congress

Ed. Dahlson, Treasurer

June 30, 1990

JUL - 2 1990
REGULAR MAIL

Office of the Clerk

U. S. House of Representatives

Washington D.C. 20515-6601

Mr. Donald K. Anderson:

In response to your letter of June 15, 1990, Mr. Dahlson informs me that Jack Mayesh is a company he owns. The 10,000 dollars in question is in fact a personal loan from Mr. Dahlson to himself doing business as Jack Mayesh.

Sincerely Yours,

Alfred L. Nilsson
Alfred L. Nilsson
Treasurer

WICKER, W. & SONS, INC.

ET AL - 9 10 91

OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES

ID: 134341

Attachment 4
Page 1 of 1

PLI No 4426 • Los Angeles California 91412
Tel (818) 877-0421 • (818) 785-1458 • FAX (818) 877-2251

134341

9 3 3 1 4 0 0 0 8 6 7



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

RQ-3

July 12, 1990

Alfred L. Nilsson, Treasurer
Dahlson for Congress
P.O. Box 4426
Van Nuys, CA 91412

Identification Number: C00242420

Reference: 12 Day Pre-Primary Report (4/1/90-5/16/90)

Dear Mr. Nilsson:

On June 19, 1990, you were notified that a review of the above-referenced report(s) raised questions as to specific contributions and/or expenditures, and the reporting of certain information required by the Federal Election Campaign Act.

Your June 30, 1990 response is incomplete because you have not provided all the requested information. For this response to be considered adequate, the following information is still required.

-The math calculations for the loans from Roy Dahlson and Jack Mayesh disclosed on Schedule C are incorrect. The original amount of the loan minus the cumulative payment should equal the closing balance.

-The beginning cash balance of this report does not equal the ending balance of your April Quarterly report. Please clarify this discrepancy and amend any subsequent report(s) which may be affected by this correction.

-Your response indicates that the loan from Jack Mayesh is a personal loan from a company owned by the candidate. Please clarify whether this loan to your committee was drawn on a corporate account. A contribution from a corporation is prohibited by the Act. (2 U.S.C. §441b(a)) The term "contribution" includes any loan made for the purpose of influencing any election for federal office.

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with the clarifying information. If the contribution you received is from a corporation, you

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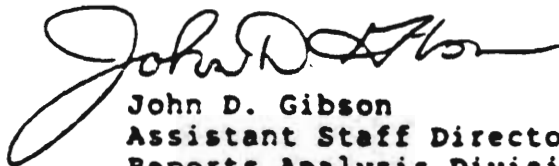
should refund the full amount to the donor and notify the Commission of such action. The refund must be made within thirty days of the treasurer becoming aware of the impermissibility of the contribution. (11 CFR §103.3(b)(2)) Copies of refund checks for the contribution(s) in question may be used to respond to this letter. The refund should be reported on a Schedule B supporting Line 20(a) of the report covering the period in which the refund is made. (11 CFR §104.8(d)(4))

Although the Commission may take further legal steps, prompt action by you to refund the prohibited amount will be taken into consideration.

If this information is not received by the Commission within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions related to this matter, please contact Todd Gerlough on our toll-free number (800) 424-9530 or our local number (202) 376-2480.

Sincerely,


John D. Gibson
Assistant Staff Director
Reports Analysis Division

95043663324

DATE 7/27/90

MEMORANDUM TO FILES

TELECON X
VISIT

Attachment 6
Page 1 of 1

NAME OF COMMITTEE: Dahlson for Congress (CA)

SUBJECT: Loan from candidate--possible corporate contribution

FEC REP: Peter Kell Jr.

COMMITTEE REP: Dan Carrasso

The volunteer, Dan Carrasso, first explained that the candidate recently had surgery and that the treasurer is currently out of town.

Mr. Carrasso then stated his belief that the matter had been resolved since they had explained that the loan from Jack Mayesh was actually a loan from the candidate. He was informed that this admission by the Committee had led to a further question regarding the possibility that the candidate's company was a corporation.

The volunteer said that Jack Mayesh was a corporation. He was advised on how to correct the error. It was recommended that the treasurer call the reports analyst if he had any questions.

95043663325

DATE 8/3/90

MEMORANDUM TO FILES

TELECON X
VISIT

Attachment 7
Page 1 of 1

NAME OF COMMITTEE: Dahlson for Congress

SUBJECT: Receipt of a corporate contribution

FEC REP: Todd Gerlough

COMMITTEE REP: Alfred Nillson

The treasurer asserted that the deposit of the corporate loan was an unintentional violation of the Act. He was advised on what steps to take to correct the problem.

95043663326

Dahlson for Congress

70th Congressional District

June 30, 1990

PO Box 4005 • Van Nuys, California 91412
Tel (818) 707-0200 • (818) 706-1456 • FAX (818) 706-2230

Office of the Clerk

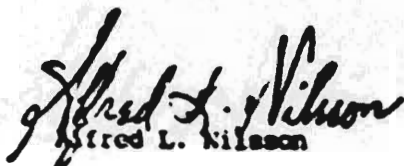
U. S. House of Representatives

Washington D.C. 20515-6601

Mr. Donald K. Anderson:

In response to your letter of June 15, 1990, Mr. Dahlson informs me that Jack Mayesh is a company he owns. The 10,000 dollars in question is in fact a personal loan from Mr. Dahlson to himself doing business as Jack Mayesh.

Sincerely Yours,


Alfred L. Nilsson
Treasurer

007154022250327

SCHEDULE C
(Revised 8/80)

LOANS

Page 1 of 1 for
LINE NUMBER _____
(See separate schedule
for each numbered line)

Name of Candidate (in Full)			
DAHLSON FOR CONGRESS			
A. Full Name, Mailing Address and ZIP Code of Loan Source Roy Dahlson 13401 Bromwich St., Arlene, CA 91331		Original Amount of Loan 12322.00	Balance Outstanding at Close of This Period 12322.00
Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): _____			
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ (Specify) <input type="checkbox"/> Secured			
List All Endorsers or Guarantors (if any) to Item A			
1. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding \$	
2. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding \$	
3. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding \$	
B. Full Name, Mailing Address and ZIP Code of Loan Source		Original Amount of Loan	Balance Outstanding at Close of This Period
Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): _____			
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ (Specify) <input type="checkbox"/> Secured			
List All Endorsers or Guarantors (if any) to Item B			
1. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding \$	
2. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding \$	
3. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding \$	
SUBTOTALS This Period This Page (optional)			
TOTALS This Period (last page in this line only)			12322.00
Carry outstanding balance only to LINE 2, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.			

99314022249

Attachment 9
Page 1 of 2

LOANS

Page 2 of 2
 Date: 10/10/2018
 Time: 10:10:10 AM
 User: [REDACTED]

Name of Candidate (in Full)			
DAHLSON FOR CONGRESS			
A. Full Name, Mailing Address and ZIP Code of Loan Source Roy Dahlson 13401 Bramrich St., Arlene, CA 91331	Original Amount of Loan 20500.00	Committed Payments To Date 20500.00	Balance Outstanding at Close of This Period 20500.00
Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % <input type="checkbox"/> Secured			
List All Endorsers or Guarantors (if any) to Item A			
1. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding \$		
2. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding \$		
3. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding \$		
B. Full Name, Mailing Address and ZIP Code of Loan Source			
		Original Amount of Loan	Committed Payments To Date
			Balance Outstanding at Close of This Period
Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % <input type="checkbox"/> Secured			
List All Endorsers or Guarantors (if any) to Item B			
1. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding \$		
2. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding \$		
3. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding \$		
SUBTOTALS This Period This Page is \$			

SCHEDULE A

ITEMIZED RECEIPTS

Use separate schedule(s) for each category of the Quarterly Summary Page

PAGE 2
OF 3
FORM LINE NUMBER

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of obtaining contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE IN FULL

DAHLSON FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code

Roy Dahlson
13401 Brownich St.,
Arlene, CA 91331

Name of Employer
Self-Employed

Date (month, day, year)
4-4-90
5-2-90
5-21-90

Amount of Each Receipt this Period
500.00
10000.00
10000.00

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Occupation

Aggregate Year-to-Date \$

B. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt this Period

Occupation

Aggregate Year-to-Date \$

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

C. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt this Period

Occupation

Aggregate Year-to-Date \$

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

D. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt this Period

Occupation

Aggregate Year-to-Date \$

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

E. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt this Period

Occupation

Aggregate Year-to-Date \$

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

F. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt this Period

Occupation

Aggregate Year-to-Date \$

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

G. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt this Period

Occupation

Aggregate Year-to-Date \$

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

SUBTOTAL (Report This Page to the State)

9504366330

912-111 111
1990 AUG -6 PM 3 32

Attachment 10
Page 1 of 3

Dahlson for Congress

Not Congressional Material

ID: 734341

August 3, 1990

PO Box 4424 • Los Angeles, CA 90044
Tel (818) 872-4424 • (818) 770-1111 • FAX (818) 872-4424

AUG - 4 1990
REGULAR MAIL

Office of the Clerk
U. S. House of Representatives
Washington D.C. 20515-6601

134341

Mr. John D. Gibson

In response to your letter of July 12, 1990, and subsequent telephone conversations with Peter Kell, July 27, 1990; Todd Gerlov, August 3, 1990 and prior letter to Donald K. Anderson, June 30, 1990. We are sending, herewith, copies of referral checks to each of them in the total amount of 10,000.00 dollars. Their replacement, in the same amount, Roy Dahlson's personal checks.

These changes will be reflected in our next quarterly report.

Alfred L. Nilsson
Alfred L. Nilsson
Treasurer

2 Incl

9 8 0 4 3 6 6 3 3 3 1 7
5 7 1 4 3 5 4 1 7

DAHLSON FOR CONGRESS
8222 MADLE AVE. 918-784-7881
VAN NUYS, CA 91401

Attachment 10
Page 2 of 3

100

PAY
TO THE
ORDER OF

July 27, 91
Ted M. Whitaker Forest, Inc.
Ten Thousand and No 00/100

SECURITY PACIFIC NATIONAL BANK
Branches & Services May Varies 0000

FOR *Edward L. Dahlson (Pay to the order of)*

Edward L. Dahlson

⑆000109⑆⑆122000043⑆256-180083⑆

DAHLSON FOR CONGRESS
8722 MADLE AVE. 918-784-7881
VAN NUYS, CA 91401

110

SECURITY PACIFIC NATIONAL BANK
Branches & Services May Varies 0000

FOR *Edward L. Dahlson (Pay to the order of)*

Edward L. Dahlson

⑆000110⑆⑆122000043⑆256-180083⑆

9504366332

E. ROY DALLON, JR.
FED. BUREAU OF INVESTIGATION
ALBANY, GA 31701

1629

7-28-40

PAY TO THE ORDER OF Dallas for Congress \$ 10,000⁰⁰
Ten Thousand and 00/100 DOLLARS

AMERICAN PACIFIC
STATE BANK

For Campaign E. Roy Dallan

⑆122229439⑆1629 01 390074⑆

E. ROY DALLON, JR.
FED. BUREAU OF INVESTIGATION
ALBANY, GA 31701

1630

7-28-40

PAY TO THE ORDER OF Dallas for Congress \$ 9,000⁰⁰
Nine Thousand and 00/100 DOLLARS

AMERICAN PACIFIC
STATE BANK

For Campaign E. Roy Dallan 4

⑆122229439⑆1630 01 390074⑆

9771405

SCHEDULE B

ITEMIZED DISBURSEMENTS

This schedule should be
filed with page 1 of the
candidate's financial statement.

Form 1001-10-1989

17

Any information received from such Reports and Statements may not be used for the purpose of obtaining contributions or for any other purpose other than using the name and address of any entity of contribution to obtain contributions from such contributors.

NAME OF COMMITTEE (in Full)

DAHLSON FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Pacific Bell Telephone Co.	Telephone Service	7-11-90	92.99
	Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General	8-21-90	48.01
	(Other (specify))	9-14-90	76.13
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Jack Mayesh 734 B San Julien St., Los Angeles, CA 90014	Return of Contribution	7-28-90	12000.00
	Disbursement for <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General		
	(Other (specify))		
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Elliot Printing 5614 Lankershim Bl., No. Hollywood, CA 91601	Remittance envelopes	8-1-90	227.38
	Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General		
	(Other (specify))		
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Roy Dahlson P.O. Box 4426 Van Nuys, CA 91412	Reimbursement for Dahlson scratch pads	8-20-90	547.09
	Disbursement for <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General		
	(Other (specify))		
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Roy Dahlson P.O. Box 4426	Reimbursement for All Star Signs	8-20-90	275.00
	Disbursement for <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General		
	(Other (specify))		
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Voter Education Project 1001 Dove St., Newport Beach, CA 92660	State Mailer	9-20-90	4500.00
	Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General		
	(Other (specify))		
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Republic Communication P.O. Box 1989 Wilmington, CA 90748	Household Mailers	9-27-90	3000.00
	Disbursement for <input type="checkbox"/> Primary <input type="checkbox"/> General		
	(Other (specify))		
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for <input type="checkbox"/> Primary <input type="checkbox"/> General		
	(Other (specify))		
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for <input type="checkbox"/> Primary <input type="checkbox"/> General		
	(Other (specify))		

SUBTOTAL of Disbursements This Page (optional)

TOTAL This Period (on page this line number only)

27766.60

DATE

10/18 and 10/19/90

MEMORANDUM TO FILES

TELECON X
VISIT

NAME OF COMMITTEE: Dahlson for Congress

SUBJECT: OGC referral

FEC REP: Todd Gerlough

COMMITTEE REP: Alfred Nilsson -10/18/90
Dan Carrasso -10/19/90

I attempted to explain the discrepancies that have arisen from the monies lent to the committee from the candidate. Neither committee representative was able to satisfactorily address these issues.

9504366335



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20541

RQ-2

NOV 6 1990

Alfred L. Nilsson, Treasurer
Dahlson for Congress
P.O. Box 4426
Van Nuys, CA 91412

Identification Number: C00242420

Reference: July Quarterly (4/1/90-6/30/90), and Amended July
Quarterly (4/1/90-6/30/90, dated 8/8/90, Reports

Dear Mr. Nilsson:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Three candidate loans are itemized for \$20,500 on Schedule A supporting Line 13(a) of the July Quarterly report. The Amended July Quarterly report dated August 8, 1990, discloses refunds totalling \$19,000 which replace corporate checks written by the candidate. Please clarify whether the remaining monies were from permissible, i.e. non-corporate, non-union sources, under the Act.

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,

R. Todd Gerlough
Reports Analyst
Reports Analysis Division

05043663306
21036703264



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20541

BO-2

NOV 6 1990

Alfred L. Nilsson, Treasurer
Dahlson for Congress
P.O. Box 4426
Van Nuys, CA 91412

Identification Number: C00242420

Reference: July Quarterly (4/1/90-6/30/90), and Amended July
Quarterly (4/1/90-6/30/90, dated 8/8/90) Reports

Dear Mr. Nilsson:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Three candidate loans are itemized for \$20,500 on Schedule A supporting Line 13(a) of the July Quarterly report. The Amended July Quarterly report dated August 8, 1990, discloses refunds totalling \$19,000 which replace corporate checks written by the candidate. Please clarify whether the remaining monies were from permissible, i.e. non-corporate, non-union sources, under the Act.

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. Todd Gerlough".

R. Todd Gerlough
Reports Analyst
Reports Analysis Division

20036703265

91 FEB 11 AM 11:33

FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

RAD Referral 90L-57
STAFF MEMBER: Jose Rodriguez

SOURCE: I N T E R N A L L Y G E N E R A T E D

RESPONDENTS: Roy Dahlson
Dahlson for Congress, and Alfred L. Nilsson,
as treasurer
Jack Mayesh Wholesale Florist, Inc.

RELEVANT STATUTES: 441b(a)
434(b)

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Reports Analysis Division ("RAD") referred the Dahlson for Congress Committee ("the Committee"), and Alfred L. Nilsson, as treasurer, to the Office of the General Counsel for receipt of prohibited contributions from the incorporated business of the candidate.

II. FACTUAL AND LEGAL ANALYSIS

Roy Dahlson was a candidate for Congress in the 26th Congressional District of California. According to the referral, Mr. Dahlson owns a business named Jack Mayesh Wholesale Florist, Inc., a California corporation. On its 12 day pre-primary report, filed May 21, 1990, the Committee disclosed a \$10,000 loan, dated May 2, 1990, from "Jack Mayesh."

On the same report, the Committee disclosed a separate

9504366338

contribution from Roy Dahlson (the candidate) of \$2,322. In response to RAD inquiries, Committee representatives maintained that "Jack Mayesh" was in fact the candidate's incorporated business. The Committee subsequently disclosed an additional \$10,000 loan on May 21, 1990 from "Roy Dahlson" which may also have come from the candidate's corporation. On July 27, 1990, the Committee issued refund checks of \$10,000 and \$9,000 to Jack Mayesh Wholesale Florist, Inc., and included copies of personal checks, dated July 28, 1990, that the candidate apparently wrote to the Committee in lieu of the earlier corporate checks.

As the Referral points out, because of the Committee's inconsistent reporting of transactions involving the candidate, it is unclear what the source was of the additional \$2,322 contribution or why the Committee's refund to the corporation in connection with the second \$10,000 loan was \$9,000. RAD's attempts to solicit complete information about these transactions has been unsuccessful.

It is unlawful for any corporation to make a contribution in connection with a federal election, or for any candidate or political committee to knowingly accept any prohibited contribution, or for any officer or director of any corporation to consent to any prohibited contribution. 2 U.S.C. § 441b(a). Candidates for federal office may make unlimited expenditures from personal funds. 11 C.F.R. § 110.10(a). "Personal Funds" means, any assets which the candidate had legal right to access or control over at the time he became a candidate and salary or any other earned income from bone fide employment. 11 C.F.R.

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§ 110.10(b)(1) and (2).

The principal campaign committee of a candidate for the House of Representatives shall file pre-election, post-general election, and quarterly reports of receipts and disbursements during the year in which a regularly scheduled election is held. 2 U.S.C. § 434(a)(2)(A). These reports shall disclose the identity of persons making contributions in excess \$200 within the calendar year along with the date and amount of the contributions. 2 U.S.C. § 434(b)(3)(A).

Although the details of the transactions are not completely clear, there is reason to believe that substantial funds from the candidate's corporation were given to the campaign and that the source of the funds was misreported, thus concealing the corporate source. Therefore, this Office recommends that the Federal Election Commission ("the Commission") find reason to believe Dahlson for Congress, and Alfred L. Nilsson, as treasurer, violated 2 U.S.C. §§ 441b(a) and 434(b) and that Roy Dahlson violated 2 U.S.C. § 441b(a) by accepting prohibited funds on behalf of his committee and by consenting to corporate contributions by his corporation. This Office further recommends the Commission find reason to believe that Jack Mayesh Wholesale Florist, Inc., violated 2 U.S.C. § 441b(a) by making corporate contributions.

Investigation of this matter will involve the issuance of interrogatories and requests for production of documents directed at the named respondents. This Office will make further recommendations should compulsory process prove necessary.

9504366340

III. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that Dahlson for Congress, and Alfred L. Nilsson, as treasurer, violated 2 U.S.C. §§ 441b(a) and 434(b).
3. Find reason to believe that Roy Dahlson violated 2 U.S.C. § 441b(a).
4. Find reason to believe that Jack Mayesh Wholesale Florist, Inc., violated 2 U.S.C. § 441b(a).
5. Approve the attached Factual and Legal Analysis, and appropriate letters.

Lawrence M. Noble
General Counsel

Date

2/8/91

BY:


Lois G. Lerner
Associate General Counsel

Attachments:

1. Audit Referral
2. Factual and Legal Analysis

95043663341

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Roy Dahlson; Dahlson for Congress,)
and Alfred L. Nilsson, as)
treasurer; Jack Mayesh Wholesale)
Florist, Inc.)

RAD Referral
#90L-57

(MUR
3228)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on February 26, 1991, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions with respect to RAD Referral #90L-57:

1. Open a MUR.
2. Find reason to believe that Dahlson for Congress, and Alfred L. Nilsson, as treasurer, violated 2 U.S.C. §§ 441b(a) and 434(b).
3. Find reason to believe that Roy Dahlson violated 2 U.S.C. § 441b(a).
4. Find reason to believe that Jack Mayesh Wholesale Florist, Inc. violated 2 U.S.C. § 441b(a).

(continued)

95043663342

Federal Election Commission
Certification for RAD Referral 90L-57
February 26, 1991

Page 2

5. Approve the Factual and Legal Analysis and appropriate letters as recommended in the General Counsel's report signed February 8, 1991.

Commissioners Aikens, Josefiak, McDonald, McGarry,
and Thomas voted affirmatively for the decision;
Commissioner Elliott dissented.

Attest:

2-27-91
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

95043663343



FEDERAL ELECTION COMMISSION

WASHINGTON DC 20463

March 13, 1991

Roy Dahlson
13401 Bromwich St.
Arleta, CA 91331

RE: MUR 3228
Roy Dahlson
Dahlson for Congress and
Alfred L. Nilsson, as
treasurer
Jack Mayesh Wholesale
Florist, Inc.

Dear Mr. Dahlson:

On February 26, 1991, the Federal Election Commission found that there is reason to believe Dahlson for Congress and Alfred L. Nilsson, as treasurer, (the "Committee") violated 2 U.S.C. §§ 441b(a) and 434(b), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). On the same date, the Commission also found reason to believe that you violated 2 U.S.C. § 441b(a) and that Jack Mayesh Wholesale Florist, Inc., violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's findings, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you, the Committee, and Jack Mayesh Wholesale Florist, Inc. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office along with answers to the enclosed questions within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Committee, and Jack Mayesh Wholesale Florist, Inc., the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the

9504363344

Roy Dahlson
Page Two

General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

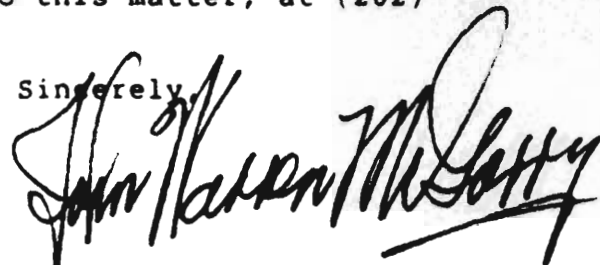
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Jose M. Rodriguez, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



John Warren McGarry
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form
Questions and Request for
Production of Documents

95043663345

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Roy Dahlson
Dahlson for Congress, and
Alfred L. Nilsson, as treasurer
Jack Mayesh Wholesale Florist,
Inc.

MUR 3228

I. GENERATION OF MATTER

This matter was initiated by the Federal Election Commission (the "Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities.

II. FACTUAL AND LEGAL ANALYSIS

Roy Dahlson was a candidate for Congress in the 26th Congressional District of California. Mr. Dahlson owns a business named Jack Mayesh Wholesale Florist, Inc., a California corporation. On its 12 day pre-primary report, filed May 21, 1990, Dahlson for Congress ("the Committee") disclosed a \$10,000 loan dated May 2, 1990, from "Jack Mayesh."

On the same report, the Committee disclosed a separate contribution from Roy Dahlson (the candidate) of \$2,322. In response to Reports Analysis Division ("RAD") inquiries, Committee representatives maintained that "Jack Mayesh" was in fact the candidate's incorporated business. The Committee subsequently disclosed an additional \$10,000 loan on May 21, 1990 from "Roy Dahlson" which may also have come from the candidate's corporation. On July 27, 1990, the Committee issued refund checks of \$10,000 and \$9,000 to Jack Mayesh Wholesale Florist Inc. and

95043663346

included copies of personal checks dated July 28, 1990 that the candidate apparently wrote to the Committee in lieu of the earlier corporate checks.

Because of the Committee's inconsistent reporting of transactions involving the candidate, it is unclear what the source was of the additional \$2,322 contribution or why the Committee's refund to the corporation in connection with the second \$10,000 loan was \$9,000. RAD's attempts to solicit complete information about these transactions has been unsuccessful.

It is unlawful for any corporation to make a contribution in connection with a federal election, or for any officer or director of any corporation to consent to any prohibited contribution. 2 U.S.C. § 441b(a). Candidates for federal office may make unlimited expenditures from personal funds. 11 C.F.R. § 110.10(a). "Personal Funds" means, any assets which the candidate had legal right to access or control over at the time he became a candidate and salary or any other earned income from bona fide employment. 11 C.F.R. § 110.10(b)(1) and (2).

The principal campaign committee of a candidate for the House of Representatives shall file pre-election, post-general election, and quarterly reports of receipts and disbursements during the year in which a regularly scheduled election is held. 2 U.S.C. § 434(a)(2)(A). These reports shall disclose the identity of persons making contributions in excess \$200 within the calendar year along with the date and amount of the contributions. 2 U.S.C. § 434(b)(3)(A).

95043663347

The evidence indicates that substantial funds from the candidate's corporation were given to the campaign and that the source of the funds was misreported, thus concealing the corporate source. Therefore, there is reason to believe Dahlson for Congress, and Alfred L. Nilsson, as treasurer, violated 2 U.S.C. § 441b(a) and 434(b) and that Roy Dahlson violated 2 U.S.C. §441b(a) by accepting prohibited funds on behalf of his committee and by consenting to corporate contributions by his corporation. There is further reason to believe that Jack Mayesh Wholesale Florist, Inc. violated 2 U.S.C §§ 441b(a) by making corporate contributions.

9 5 0 4 3 6 6 3 3 4 8

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
)
) MUR 3228
)

INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS

TO: Roy Dahlson
Dahlson for Congress and
Alfred L. Nilsson, as treasurer
13401 Bromwich St.
Arleta, CA 91331

9 5 0 4 3 6 6 3 3 4 9

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within fifteen (15) days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from April 1 to November 30, 1990.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

950436330

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

95043663351

Questions and Request for Production of
Documents to Roy Dahlson and Dahlson for
Congress and Alfred L. Nilsson, as treasurer
Page 4

BEFORE THE FEDERAL ELECTION COMMISSION

MUR 3228

Questions to Roy Dahlson

1. List, by date, amount, and payor all payments to Dahlson for Congress from Roy Dahlson, Jack Mayesh Wholesale Florist, Inc., and all other entities owned or controlled by Roy Dahlson.
2. Produce the written instruments (both sides) by which each payment identified in response to question 1 was made. If payment was not made via written instrument, produce the record of wire transfer.
3. Produce bank statements covering the period April 1 to November 30, 1990 for every personal and business account from which any of the payments listed in response to question 1 were made.
4. List, by date and amount all reimbursements from Dahlson for Congress to Jack Mayesh Wholesale Florist, Inc., including the reason for the reimbursement. If reimbursement was not complete, explain the reason why only a partial reimbursement was made.
5. Produce the written instruments (both sides) by which each reimbursement identified in response to question 4 was made. If payment was not made via written instrument, produce the record of wire transfer.
6. Identify the persons responsible for reporting a May 2, 1990 contribution from Jack Mayesh Wholesale Florist, Inc., on the Dahlson for Congress committee's FEC Reports as coming from "Jack Mayesh." Produce all documents consulted or relied on by such persons in making the report.
7. Identify each person who provided any information used in the preparation of the responses to these questions and for each person, describe for which question the information was used.

95043663352

06 0629

O'ROURKE, STAFFORD & ALLAN

DENIS M. O'ROURKE
MICHAEL N. STAFFORD
JOAN H. ALLAN
HENRY YEKIKIAN
DAVID N. HASS
RODERICK D. FONG
RANDY TENNEN

ATTORNEYS AT LAW
104 NORTH BELMONT
THIRD FLOOR
GLENDALE, CALIFORNIA 91206

(818) 247-4303

MAILING ADDRESS:
P.O. BOX 10220
GLENDALE, CA 91209-3220

FAX (818) 247-1451

March 25, 1991

RECEIVED
FEDERAL ELECTION COMMISSION
91 APR -3 AM 10:23

Federal Election Commission
Washington, D.C. 20463

Attention: Jose M. Rodriguez, Esq.

Re: Roy Dahlson
MUR 3228

Gentlemen:

Please be advised that Michael N. Stafford has been retained to represent Roy Dahlson with regard to the above referenced matter.

In order to comply with your request for interrogatories and production of documents, we request an extension of twenty (20) days. Mr. Dahlson received the Election Commission's Factual and Legal Analysis dated March 13 on March 20, 1991. In order to timely comply with your request, we will need the additional twenty days. However, if we obtain the information requested prior to that time, we most certainly will forward it to you.

Should you have any questions or any suggestions of resolution, please call upon the writer at your convenience.

Very truly yours,

O'ROURKE, STAFFORD & ALLAN

By

MICHAEL N. STAFFORD

MNS/be
Enclosure

RECEIVED
FEDERAL ELECTION COMMISSION
91 APR -3 PM 3:28

950433333

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3228

NAME OF COUNSEL: MICHAEL N. STAFFORD

ADDRESS: O'Rourke, Stafford & Allan
104 North Belmont, Third Floor
Glendale, California 91206

TELEPHONE: (818) 247-4303

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

March 25, 1991
Date

Roy Dahlson
Signature

RESPONDENT'S NAME: ROY DAHLSON

ADDRESS: 13401 Bromwich Street
Arleta, California 91331

HOME PHONE: _____

BUSINESS PHONE: (213) 622-6697

95043663354



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 5, 1991

Michael N. Stafford, Esq.
O'Rourke, Stafford & Allan
104 North Belmont
Third Floor
Glendale, CA 91206

RE: MUR 3228
Roy Dahlson

Dear Mr. Stafford:

This is in response to your letter dated March 25, 1991, which we received on April 3, 1991, requesting an extension of 20 days to respond to the Commission's letter of March 13, 1991. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on April 24, 1991.

Please clarify whether you represent only Roy Dahlson in this matter or respondents Dahlson for Congress and Alfred L. Nilsson, as treasurer, and Jack Mayesh Wholesale Florist, Inc., as well. If so, please submit a separate statement of designation of counsel for each respondent.

If you have any questions, please contact Jose M. Rodriguez, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Jonathan Bernstein
Assistant General Counsel

95043663305

OBC 0901

O'ROURKE, STAFFORD & ALLAN

DENIS M. O'ROURKE
MICHAEL N. STAFFORD
JOAN H. ALLAN
HENRY YEKIKIAN
DAVID N. HASS
RODERICK D. FONG
RANDY TENNEN

ATTORNEYS AT LAW
104 NORTH BELMONT
THIRD FLOOR
GLENDALE, CALIFORNIA 91206

(818) 247-4303

MAILING ADDRESS:
P.O. BOX 10220
GLENDALE, CA 91209-3220

FAX (818) 247-1451

April 23, 1991

Federal Election Commission
Washington, D.C. 20463

Attention: Jose M. Rodriguez. Esq.

Re: Roy Dahlson
MUR 3228

Gentlemen:

The following is in response to your questions and Request for Production of Documents to Roy Dahlson and Dahlson for Congress dated March 13, 1991:

RESPONSE TO QUESTION NO. 1:

<u>Check #</u>	<u>Check Date</u>	<u>-----Payor-----</u>		<u>Amount</u>
		<u>E. Roy Dahlson</u>	<u>Jack Mayesh</u>	
7572	5/2/90		X	\$10,000.00
7662	5/18/90		X	9,000.00
1629	7/28/90	X		10,000.00
1630	7/28/90	X		9,000.00
1688	10/22/90	X		18,000.00
1694	11/1/90	X		6,000.00

RESPONSE TO QUESTION NO. 2:

See Exhibit 1 attached hereto.

RESPONSE TO QUESTION NO. 3:

See Exhibit 2 attached hereto.

95043663356

91 APR 24 AM 9:13

91 APR 24

APR 24 1991

95043663357

Federal Election Commission
Attention: Jose M. Rodriguez, Esq.
April 23, 1991
Page 2

RESPONSE TO QUESTION NO. 4:

<u>Check #</u>	<u>Check Date</u>	<u>Check Amount</u>
109	7/27/90	\$10,000.00 ¹
110	7/27/90	9,000.00 ²
112	8/20/90	547.09 ³
113	8/20/90	275.00 ³

¹ To reimburse loan made by Jack Mayesh; See Mayesh Check # 7572 above.

² To reimburse loan made by Jack Mayesh; See Mayesh Check # 7662 above.

³ To reimburse E. Roy Dahlson for monies advanced by him to outside vendors, on behalf of campaign.

RESPONSE TO QUESTION NO. 4:

See Exhibit 3 attached hereto.

RESPONSE TO QUESTIONS NO. 6 & 7:

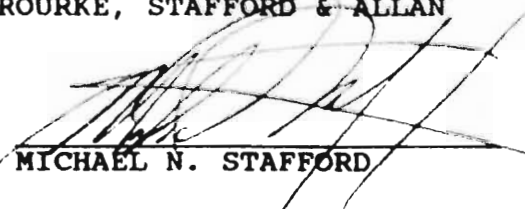
Alfred L. Nilsson, Treasurer
6722 Nagle Avenue
Van Nuys, California 91401.

In response to your letter of April 5, 1991, please be advised that I represent the interests of Roy Dahlson, Dahlson for Congress and Jack Mayesh Wholesale Florist, Inc. in the above referenced matter.

Very truly yours,

O'ROURKE, STAFFORD & ALLAN

By


MICHAEL N. STAFFORD

MNS/be
Enclosures

ITEM	AMOUNT	
LOAN TO DAHLSON FOR CONGRESS	10,000	00

JACK MAYESH
WHOLESALE FLORIST, INC.

7572

10-338/1220

PAY
TO THE
ORDER OF

5-2 1970
Dahlson For Congress

\$ 10,000⁰⁰

Ten Thousand & 00/100

DOLLARS



Sumitomo Bank of California
LOS ANGELES OFFICE
101 S. SAN PEDRO ST., LOS ANGELES, CALIFORNIA 90010

Roy Dahlson

95043663358

RECEIVED

DAWSON FOR
COUNTESS
DPA 256-180083

DO NOT WRITE STAMP OF SIGN BELOW THIS LINE

203701001 05085 02

11

02010887

103610001

95043663359

95043663300

ITEM	AMOUNT

JACK MAYESH
WHOLESALE FLORIST, INC.

(B)
5

7662

10-339/1220

5-18 19 90

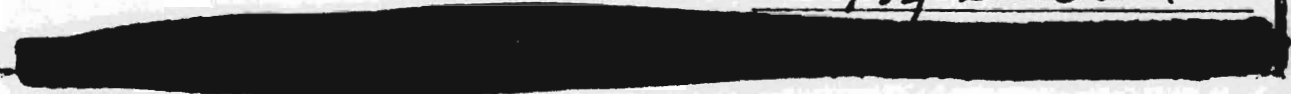
PAY
TO THE
ORDER OF

Dalton for Congress \$ 9,000⁰⁰
Nine Thousand + ⁰⁰/₁₀₀ — DOLLARS



Sumitomo Bank of California
LOS ANGELES OFFICE
101 S. SAN PEDRO ST. LOS ANGELES, CALIFORNIA 90012

Roy Dalton



FOR DEPOSIT ONLY
DAHLSON FOR CONGRESS
256-180083

DO NOT WRITE IN THESE SPACES
256-180083

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1820
C2048
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204202014 052250 12

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9 5 0 4 3 6 6 3 4 0 1

E. ROY DAHLSON, JR.
13401 BROMWICH ST.
ARLETA, CA 91331

1629

99-2843/1222

7-28 19 90

PAY TO THE
ORDER OF

Dahlson for Congress \$ *10,000⁰⁰*
Ten Thousand & 00/100 DOLLARS



SON VALLEY OFFICE
**AMERICAN PACIFIC
STATE BANK**
1047 VINELAND AVE., SON VALLEY, CA 91268

MEMO

Loan to Campaign

E. Roy Dahlson, Jr.

E. ROY DAHLSON, JR.
13401 BROMWICH ST.
ARLETA, CA 91331

1630

99-2843/1222

7-28 19 90

PAY TO THE
ORDER OF

Dahlson for Congress \$ *9,000⁰⁰*
Nine Thousand & 00/100 DOLLARS



SON VALLEY OFFICE
**AMERICAN PACIFIC
STATE BANK**
1047 VINELAND AVE., SON VALLEY, CA 91268

MEMO

Loan to Campaign

E. Roy Dahlson, Jr.

95043683362

E. ROY DAHLSON, JR.
13401 BROMWICH ST.
ARLETA, CA 91331

1688

10-22-1990

10-2143/1222

PAY TO THE
ORDER OF

Dahlson for Congress \$18,000⁰⁰/₁₀₀
Eighteen Thousand + ⁰⁰/₁₀₀ DOLLARS



SUN VALLEY OFFICE
**AMERICAN PACIFIC
STATE BANK**
801 VINELAND AVE., SUN VALLEY, CA 91380

MEMO

E. Roy Dahlson, Jr.

E. ROY DAHLSON, JR.
13401 BROMWICH ST.
ARLETA, CA 91331

1694

11-1-1990

10-2143/1222

PAY TO THE
ORDER OF

Dahlson for Congress \$6,000⁰⁰/₁₀₀
Six Thousand + ⁰⁰/₁₀₀ DOLLARS



SUN VALLEY OFFICE
**AMERICAN PACIFIC
STATE BANK**
801 VINELAND AVE., SUN VALLEY, CA 91380

MEMO

E. Roy Dahlson, Jr.

9504366303

DAHLSON FOR CONGRESS

6722 NAGLE AVE. [REDACTED]
VAN NUYS, CA 91401

109

10-4/1229

PAY
TO THE
ORDER OF

July 27, 1990
Jack Mayers Wholesale Florist, Inc.
Ten Thousand and no/100

\$ *19000*

DOLLARS

SECURITY PACIFIC NATIONAL BANK
Woodman & Sherman Way Office 60256
7255 Woodman Ave.
Van Nuys, CA 91405

FOR

Return of loan (May 2, 1990 Deposit)

[Signature]
Alfred L. Nelson

⑆000 109⑆ +⑆ 122000043⑆ 256⑆ 188083⑆

⑆000 1000000⑆

DAHLSON FOR CONGRESS

6722 NAGLE AVE. [REDACTED]
VAN NUYS, CA 91401

110

10-4/1229

PAY
TO THE
ORDER OF

July 27, 1990
Jack Mayers Wholesale Florist, Inc.
Nine Thousand and No/100

\$ *9000*

DOLLARS

SECURITY PACIFIC NATIONAL BANK
Woodman & Sherman Way Office 60256
7255 Woodman Ave.
Van Nuys, CA 91405

FOR

Return of loan (May 2, 1990 Deposit)

[Signature]
Alfred L. Nelson

⑆000 110⑆ +⑆ 122000043⑆ 256⑆ 180083⑆

⑆0000 908000⑆

ENDORSE HERE

0-339 Pay to the order of 16-339
The Sunlight Bank of California
Los Angeles Office
FOR DEPOSIT ONLY

WHOLESALE FLORIST, INC.

JACK MAYESH

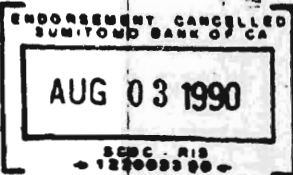
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RESERVED FOR FINANCIAL INSTITUTION USE

538 2 2 7 2 5

SUNLIGHT BANK

02 18 1989

12 3 90



406300725 080190 20 00201732670

AG 90 03

1220-0016-6

AG 90 07
100
PROCESSED

ENDORSE HERE

0-339 Pay to the order of 16-339
The Sunlight Bank of California
Los Angeles Office
FOR DEPOSIT ONLY

WHOLESALE FLORIST, INC.

JACK MAYESH

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE

SUNLIGHT BANK

02 18 1989

12 3 90

406300726 080190 20 00201732670

AG 90 01

100
PROCESSED

DAHLSON FOR CONGRESS

6722 NAGLE AVE.
VAN NUYS, CA 91401

112

10-4/1230

PAY
TO THE
ORDER OF

ROY DAHLSON

AUG. 20 1990

\$ 547.09

FIVE HUNDRED FORTY SEVEN AND 09/100

DOLLARS

SECURITY PACIFIC NATIONAL BANK
Woodman & Sherman Way Office #0285
7285 Woodman Ave.
Van Nuys, CA 91405

FOR

Alfred L. Nilsson
John M. [Signature]

⑈000112⑈ -⑈1122000043⑈256-180083⑈

⑈0000054709⑈

DAHLSON FOR CONGRESS

6722 NAGLE AVE.
VAN NUYS, CA 91401

113

10-4/1230

PAY
TO THE
ORDER OF

ROY DAHLSON

AUG. 20 1990

\$ 275.00

TWO HUNDRED SEVENTY FIVE AND 00/100

DOLLARS

SECURITY PACIFIC NATIONAL BANK
Woodman & Sherman Way Office #0285
7285 Woodman Ave.
Van Nuys, CA 91405

FOR

Alfred L. Nilsson
John M. [Signature]

⑈000113⑈ -⑈1122000043⑈256-180083⑈

⑈0000027500⑈

95043663307

ENDORSE
Foy Dallen

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE

4444 13530

AMER PACIFIC ST BK
62111 CENTRAL CYT BL
MILWAUKEE, WIS. 53212
P-122 229 439

ALL 68 70

ENDORSE
Foy Dallen

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE

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62111 CENTRAL CYT BL
MILWAUKEE, WIS. 53212
P-122 229 439

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0401819 08-28-90 AFS

BOCPROCESSED
0401818 08-28-90 AFS

250436.63308



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 26, 1991

Michael N. Stafford, Esq.
O'Rourke, Stafford & Allan
104 North Belmont
Third Floor
Glendale, CA 91206

RE: MUR 3228
Roy Dahlson
Dahlson for Congress
and Alfred L. Nilsson,
as treasurer
Jack Mayesh Wholesale
Florist, Inc.

Dear Mr. Stafford:

We have your clients' submission of April 23, 1991. Upon review, it appears that several issues require clarification or additional information. Enclosed please find supplemental questions and requests for production of documents. We would appreciate a response to these questions and document requests within twenty days of receipt of this letter.

If you have any questions, please contact Jose M. Rodriguez, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

Lois G. Lerner
by *HLR*

BY: Lois G. Lerner
Associate General Counsel

Enclosure

95043663369

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
)
) MUR 3228
)

**INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

TO: Roy Dahlson
c/o Michael N. Stafford, Esq.
O'Rourke, Stafford & Allan
104 North Belmont
Third Floor
Glendale, CA 91206

95043663/0

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within twenty (20) days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from April 1 to November 31, 1990.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

9504366331

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

9504366372

Questions and Requests for Production
of Documents to Roy Dahlson
Page 4

BEFORE THE FEDERAL ELECTION COMMISSION

MUR 3228

Questions to Roy Dahlson

- 95043663373
1. Concerning Dahlson for Congress' ("Committee") disclosure reports please indicate the correct date of receipt and source (payor) of:
 - a. A \$500 loan disclosed by the Committee on line 13(a), Column A, of the Detailed Summary Page of its April Quarterly Report of Receipts and Disbursements filed on April 13, 1990.
 - b. A \$2,322 loan disclosed by the Committee on line A of Schedule A of its 12 Day Pre-Primary Report of Receipts and Disbursements filed on May 21, 1990.
 - c. A \$2,500 contribution disclosed by the Committee on line E of Schedule A of its October Quarterly Report of Receipts and Disbursements filed on October 22, 1990.
 - d. A \$10,000 loan disclosed by the Committee on line A schedule A of its 12 Day Pre-General Election Report of Receipts and Disbursements filed on October 22, 1990.
 2. Produce the written instrument (both sides) by which each loan or contribution identified in question 1 was made. If not made via written instrument, produce the record of wire transfer.
 3. Concerning Mr. Dahlson's account statements for his personal checking account numbered _____ produced to this Office on April 23, 1991, please indicate the source (payor) of the following deposits.
 - a. A 7/30/90 deposit for \$19,000 numbered 9983.
 - b. A 10/3/90 deposit for \$8,000 numbered 9968.
 - c. A 10/15/90 deposit for \$25,000 numbered 9966.
 - d. A 10/17/90 deposit for \$10,000 numbered 9967.
 - e. A 10/19/90 deposit for \$10,000 numbered 9965.

Questions and Requests for Production
of Documents to Roy Dahlson
Page 5

4. Produce all written instruments (both sides) by which each deposit identified in question 3 was made. If not made via written instrument, produce the record of wire transfer.
5. Also concerning Mr. Dahlson's bank statements for his personal checking account numbered please indicate the payee of the following checks.
 - a. Check number 1681 in the amount of \$10,000.
 - b. Check number 1685 in the amount of \$20,000.
 - c. Check number 1686 in the amount of \$6,000.
6. Please produce a copy (both sides) of the checks identified in question 5.
7. Identify each person who provided any information used in the preparation of the responses to these questions and for each person, describe for which question the information was used.

95043663374

DENIS M. O'ROURKE
MICHAEL N. STAFFORD
JOAN H. ALLAN
HENRY YEKIKIAN
DAVID N. HASS
RODERICK D. FONG
RANDY TENNEN
JAMES W. BATES

O'ROURKE, STAFFORD & ALLAN

ATTORNEYS AT LAW
104 NORTH BELMONT
THIRD FLOOR
GLENDALE, CALIFORNIA 91206

(818) 247-4303

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE SERVICES BRANCH

91 JUL 22 AM 11:45

MAILING ADDRESS:
P.O. BOX 10220
SAN FRANCISCO, CA 94120-3220
FAX (818) 247-1451

July 17, 1991

Mr. Jose Rodriguez
Federal Elections Commission
Washington D.C. 20463

Re: Roy Dahlson
MUR 3228

Dear Mr. Rodriguez:

This is to confirm our telephone conversation today in which you graciously granted my clients, Roy Dahlson, Dahlson for Congress, and Jack Mayesh Wholesale Florist, Inc. an extension to August 15, 1991 in which to respond to your request for Production of Documents, dated June 26, 1991.

Thank you for your understanding and cooperation in this matter.

Very truly yours,

O'ROURKE, STAFFORD & ALLAN



RODERICK D. FONG

RDF/gm

91 JUL 23 AM 10:36

95043635

861 2220

O'ROURKE, STAFFORD & ALLAN

DENIS M. O'ROURKE
MICHAEL N. STAFFORD
JOAN H. ALLAN
HENRY YEKIKIAN
DAVID N. HASS
RODERICK D. FONG
RANDY TENNEN
JAMES W. BATES

ATTORNEYS AT LAW
104 NORTH BELMONT
THIRD FLOOR
GLENDALE, CALIFORNIA 91206

(818) 247-4303

MAILING ADDRESS:
P.O. BOX 10220
GLENDALE, CA 91209-3220

FAX (818) 247-1451

August 14, 1991

Federal Election Commission
Washington, D.C. 20463
Attention: Jose M. Rodriguez

Re: Roy Dahlson
MUR 3228

Dear Mr. Rodriguez:

The following is in response to your questions and Request for Production of Documents to Roy Dahlson and Dahlson for Congress dated June 26, 1991:

Question #1a

This was a cash payment made by Mr. Dahlson to open the Dahlson for Congress bank account deposited on April 4, 1990.

Question #1b

This represents payments made by Dahlson on behalf of Dahlson for Congress and consists primarily of the following:

<u>Date</u>	<u>Ck #</u>	<u>Amount</u>	<u>Payee</u>
4/17	1580	\$ 547.09	Scratch Pads
4/27	1586	\$ 547.10	Scratch Pads
2/12	1552	\$1,207.00	L.A. County Registrar
			Recorder
		\$ 20.81	Misc. Expenses
		<u>\$2,322.00</u>	

Mr. Dahlson cannot locate the cancelled checks for the above and has requested copies from the bank. Such copies will be forwarded as soon as they are received.

Question #1c

This represents contributions from a fund raiser held in October, 1990.

91 AUG 15 18:10:01
FEDERAL ELECTION COMMISSION

91 AUG 15 PM 3:14

95043663316

Mr. Jose M. Rodriguez
August 14, 1991
Re: Roy Dahlson

Page Two

Question #1d

The source was Roy Dahlson, check number 1681, dated 10/5/90.

Question #2

- a.) See attached bank statement.
- b.) As noted above, cancelled checks will be sent upon receipt from the bank.
- c.) See attached ledger sheet.
- d.) Mr. Dahlson cannot locate this cancelled check and has requested a copy from his bank, which will be forwarded to your office upon receipt.

Question #3

	<u>Date</u>	<u>Ck #</u>	<u>Payer</u>	<u>Amount</u>
a.)	7/30/90	4416	Jack Mayesh Wholesale Florist Inc.	\$19,000.00
b.)	9/30/90	4606	Jack Mayesh Wholesale Florist, Inc.	\$ 8,000.00
c.)	10/12/90	5242	Stanley R. Kersten	\$25,000.00
d.)	10/17/90	4628	Jack Mayesh Wholesale Florist, Inc.	\$10,000.00
e.)	10/16/90	8281	Jack Mayesh Wholesale Florist, Inc.	\$10,000.00

Question #4

See attached check copies.

Question #5

- a.) As noted in 1(d) above, the payee is Dahlson for Congress and a copy of the check will be forwarded upon receipt from the bank.
- b.) The payee is Quality Chevrolet.
- c.) The payee is the Daily News.

95043663377

Mr. Jose M. Rodriguez
August 14, 1991
Re: Roy Dahlson

Page Three

Question #6

See attached copies.

Question #7

Roy Dahlson.

Very truly yours,

O'ROURKE, STAFFORD & ALLAN



RODERICK D. FONG

RDF/gm
Enclosures

95043663378

Ready Reference Statement

WOODMAN & SHERMAN WAY OFF
7255 WOODMAN AVE
VAN NUYS CA 91405

For questions concerning this statement or any electronic activity on your account, write to the address above or telephone Customer Service as shown here or on the reverse side of this statement 24 hours a day, seven days a week.

(ALA) 507-7171

FOR LOST OR STOLEN BANK CARDS -
Please see reverse side of statement.

Please make check or money order payable to SECURITY PACIFIC NATIONAL BANK

DUE DATE	REG. NO.	AMT. PAID DUE	TOTAL PMT. DUE	NEW BALANCE

AMT. ENCLOSED

OFF NO. ACCOUNT

DAHLSON FOR CONGRESS
6722 NAGLE AVE
VAN NUYS CA 91401-1211

STATEMENT PERIOD APR 04 90 - APR 27 90
EXT. STATEMENT DATE MAY 29 90

ACCOUNT NUMBERS

CHECKING
READYBANKING
CHECK GUARANTEE
MASTERCARD
VISA

BUSINESS CHECKING ACCOUNT

ACTIVITY

TYPE	DATE	AMOUNT	TYPE	DATE	AMOUNT	TYPE	DATE	AMOUNT
DEPOSIT	APR04	500.00						

ELECTRONIC ACTIVITY

COMPANY NAME	TRANSACTION DESCRIPTION	COMPANY DATE	IDENTIFICATION NUMBER	POST DATE	AMOUNT
DELUXE CHECK	DLX CHECK			APR19	46.79 -

DAILY BALANCES

DATE	BALANCE	DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
APR04	500.00	APR19	453.21				

CHECKING ACCOUNT SUMMARY

BEGINNING BALANCE	0	00
TOTAL OF 1 DEPOSITS	+	500.00
TOTAL OF 1 CHECKS/OTHER DEBITS	-	46.79
SERVICE CHARGE	-	00
ENDING BALANCE	0	453.21

5043663379

DONOR FOR CONGRESS

LEDGER IN COMB - DONATIONS - FUND RAISER PAGE 2

1990

10-26	ALBERT DIO, 12901 HARDING ST, SYLMAR, CA 91342	2500	
10-26	DIANE M. EATON, 904 LA TUNA CYN. RD. SUN VALLEY, CA 91352	7000	
10-27	R. J. LINFORS, 927 PASS AV., BURBANK, CA 91505	3500	✓
10-27	ALFRED L. NILSSON, 6722-NAGLE AV. VAN NUYS, CA 91401 RETIRED	7000	✓
10-27	W. F. WIGGINS, JR., 11417 JEFF AV., LAKE VIEW TERRACE, CA 91342	7000	✓
10-27	ELIZABETH ANN KLUGKIST, 11339 KELOWNA LAKE VIEW TERRACE, CA 91342	7000	✓
10-27	HENRY CESPEDES, 8519 COSTELLO AV., PANORAMA CITY, CA 91402	10000	✓
10-27	SUSAN J. DE GOLYER, 17231 GRESHAM ST., NORTHridge, CA 91325	7000	✓
10-27	ERIC WAGNER, 5417 ZELZAH AV., #105 ENCINO, CA SELF-EMPLOYED	2500	13500 ✓
10-27	GERALD WILSON TRAPP, 5733 COSTELLO AV. VAN NUYS, CA 91401	7000	✓
10-27	7 TICKETS	24500	✓
10-27	CARL BURNETT, 8437 KESTER AV. VAN NUYS, CA 91402	3500	✓
10-27	MARY L. FERA, 9259 ARLETA AV., ARLETA, CA 91331	10000	✓
10-27	DOLORES L. GIEB, 13040 MONTEIRO AV., SYLMAR, CA 91342	3500	✓
10-27	AGNES J. POHL, 12883 GLADSTONE AV., SYLMAR, CA 91342	3500	✓
10-27	ARNOLD GIESBRET, 1433 FOOTHILL BL. LA CANADA, CA 91011 PHYSICIAN	15000	✓
10-27	MISC CASH		
10-27	Y. K. CHEUNG, 730 S. PLYMOUTH BL LOS ANGELES, CA 90005	100000	✓
10-30	43RD A.D. REVD. CTRL COMMITTEE	10000	✓
	NICHOLAS V. DAVIDOVICH, 18600 BURBANK BL #200, TAZANA, CA 91356 (TREAS)		
10-30	MARK J. NG, 3204 WOODSIDE MEADOWS RD, PLEASANT HILL, CA 94523 (ENGR.)	\$10000	✓
11-1	DONALD R. ASHTON, 2113 HELEN AV. LAS VEGAS, NV, 89108	7000	✓
10-30	GLENN BALES, 8753 STANBURY (DRIVER) (CASH) PANORAMA CA 91402	500	✓

**JACK MAYESH
WHOLESALE FLORIST, INC.**

VALLEY BRANCH
15015 OXNARD ST.
VAN NUYS, CA 91411

4628

18-338/1220

PAY
TO THE
ORDER OF

E. Roy Dahlson Jr
Ten Thousand & 00/100

10-17 19*90*

\$ *10,000⁰⁰*

DOLLARS



Sumitomo Bank of California

LOS ANGELES OFFICE
101 S. SAN PEDRO ST., LOS ANGELES, CALIFORNIA 90012

E. Roy Dahlson

**JACK MAYESH
WHOLESALE FLORIST, INC.**

VALLEY BRANCH
15015 OXNARD ST.
VAN NUYS, CA 91411

4606

18-338/1220

PAY
TO THE
ORDER OF

Roy Dahlson
Eight Thousand & 00/100

9-30 19*90*

\$ *8,000⁰⁰*

DOLLARS



Sumitomo Bank of California

LOS ANGELES OFFICE
101 S. SAN PEDRO ST., LOS ANGELES, CALIFORNIA 90012

Roy Dahlson

**JACK MAYESH
WHOLESALE FLORIST, INC.**

VALLEY BRANCH
15015 OXNARD ST.
VAN NUYS, CA 91411

4416

18-338/1220

PAY
TO THE
ORDER OF

E. Roy Dahlson Jr
Nineteen Thousand & 00/100

9-30 19*90*

\$ *19,000⁰⁰*

DOLLARS



Sumitomo Bank of California

LOS ANGELES OFFICE
101 S. SAN PEDRO ST., LOS ANGELES, CALIFORNIA 90012

Cinder M. F.

E. Roy Dalkow Jr
01-550074

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E. Roy Dalkow Jr

9504363382

STANLEY R. KERSTEN
FLOWERS & SERVICE
734 S. SAN JULIAN ST. (213) 622-3415
LOS ANGELES, CA 90014

CDL 2101111 (92) 115
U156 [REDACTED] 5242

Pay to the
Order of

Roy Addison

Twenty five thousand and no/100

EIGHTH & HILL OFFICE

WELLS FARGO BANK

801 S. HILL ST. LOS ANGELES, CA 90014

12 Oct 19 90

\$ *25,000.00*
Dollars

Stanley R. Kersten

95043663383

* Roy Dalle

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95043663384

FOR DEPOSIT TO THE ACCOUNT OF

E. ROY DAHLSON, JR.
13401 BROMWICH ST. 800-1283
ARLETA, CA 91331

[Signature]

DATE

10-13

1990

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL

SIGN HERE FOR LESS CASH IN TELLER'S PRESENCE

SUN VALLEY OFFICE



AMERICAN PACIFIC
STATE BANK
8012 VONELAND AVE. SUN VALLEY, CA 91352

CASH	CURRENCY
11-24	25,000.00
TOTAL FROM OTHER SIDE	
TOTAL	
LESS CASH RECEIVED	
NET DEPOSIT	

90-2043/1222

USE OTHER SIDE FOR
ADDITIONAL LISTING

BE SURE EACH ITEM IS
PROPERLY ENDORSED

95043663305

PLEASE LIST EACH CHECK SEPARATELY BY BANK NUMBER

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JACK MAYESH
WHOLESALE FLORIST, INC.

8281

10-16 1990

16-339
1220

PAY
TO THE
ORDER OF

E. Roy Dahlberg
Ten Thousand + 00/100

\$ 10,000⁰⁰

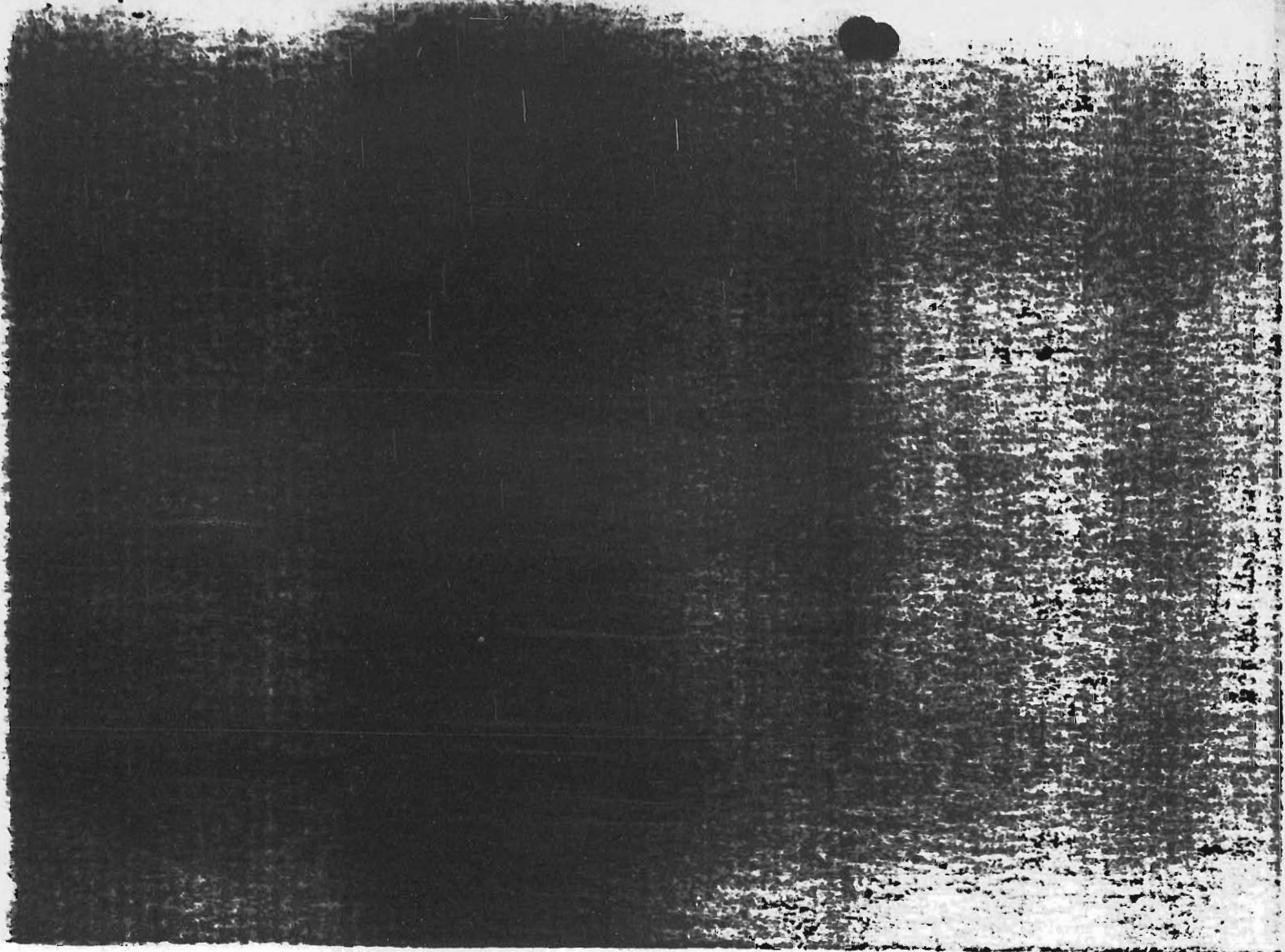
DOLLARS



Sumitomo Bank of California
LOS ANGELES OFFICE
101 S. SAN PEDRO ST., LOS ANGELES, CALIFORNIA 90012

Roy Dahlberg

ITEM	AMOUNT



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10-16-90
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Erin Dalkowski

95043663389

51747 E. ROY DAHLSON, JR. 2523 1685
13401 BROMWICH ST.
ARLETA, CA 91301

PAY TO THE ORDER OF Quality Chevrolet 10-15 1990 \$ 20,000⁰⁰
Twenty Thousand & 00/100 DOLLARS

AMERICAN PACIFIC
STATE BANK
500 VALLEY AVENUE, SAN VALLEY, CA 95128

MEMO 902523 E. Roy Dahlson

95043663390

ENDORSE HERE

X PAY TO THE ORDER OF
ESCONDIDO NATIONAL BANK
FOR DEPOSIT ONLY
QUALITY CHEVROLET CO
001-002112

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
PERMITTED FOR BANK USE ONLY

1019 68492

0102660 10-1-01 0992010
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NATIONAL BANK
ESCONDIDO, CA
OCT 16 1990
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209300037
ST W. 10

E. ROY DAHLSON
13401 BROMWICH ST.
ARLETA, CA 91331

20029107

1686

PAY TO THE
ORDER OF

Daily News

10-15

19 90

90-2943/1222

\$ 6,000⁰⁰

Six Thousand & 00/100

DOLLARS



SUN VALLEY OFFICE
AMERICAN PACIFIC
STATE BANK
801 VINLAND AVE. SUN VALLEY, CA 91332

MEMO

E. Roy Dahlson

95043663391

X

FOR SERVICE TO FINANCIAL INSTITUTIONS USE

82517.

PAY TO THE ORDER OF
WELLS FARGO BANK, N.A.
OR NEW YORK
LIB. 24.00
DAILY NEWS, INC.

2000217

0100624 10-18-90

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06-C 2983

O'ROURKE, STAFFORD & ALLAN

DENIS M. O'ROURKE
MICHAEL N. STAFFORD
JOAN H. ALLAN
HENRY YEKIKIAN
DAVID N. HASS
RODERICK D. FONG
JAMES W. BATES

ATTORNEYS AT LAW
104 NORTH BELMONT
THIRD FLOOR
GLENDALE, CALIFORNIA 91206

(818) 247-4303

MAILING ADDRESS:
P.O. BOX 10220
GLENDALE, CA 91209-3220
FAX (818) 247-1451

September 25, 1991

CERTIFIED MAIL/
RETURN RECEIPT REQUESTED

Federal Election Commission
Washington, D.C. 20463

Attention: Jose M. Rodriguez

Re: Roy Dahlson
MUR 3228

91 OCT - 1 PM 4:03

Dear Mr. Rodriguez:

Enclosed are copies of check numbers 1580, 1586, 1552 and 1581 which are in response to questions numbers 1b, 2d and 5(a) of your latest Request for Production of Documents to Roy Dahlson and Dahlson for Congress dated June 26, 1991. As I indicated in Mr. Dahlson's initial response, dated August 14, 1991, these checks could not be located and Mr. Dahlson had to request copies from the bank, which were recently received.

I apologize for any inconvenience the delay may have caused.

Very truly yours,

O'ROURKE, STAFFORD & ALLAN


RODERICK D. FONG

RDF:fk
Enclosure

91 OCT - 1 PM 1:30

110

FOR DEPOSIT ONLY
DAHLGREN FOR CONGRESS
2-5-1902

7656 10008

9.088

0104104 10-05-90 4014010

1682

DOLLARS

E. ROY DALLGREN JR.
100 BROADWAY ST.
ALBANY, N.Y.

10-4-1902

Dallgren for Congress

Ten Thousand 400/100

AMERICAN PACIFIC
STATE BANK

E.R. Dallgren

1681

E. ROY
100 BROAD
ALB

Dallgren

for

1902

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E. ROY CARLSON, JR.
1501 CALLEPOPERO ST. BOX 42
MILITA CA 92081

1000 0. 1000
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Sollin Box
Twenty Five

 AMERICAN PACIFIC
STATE BANK
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PAY TO THE ORDER OF
 INDEPENDENCE BANK
 VERNON, LOUISIANA BRANCH
 FOR DEPOSIT ONLY
 01270
 SEARCHED INDEXED
 SERIALIZED FILED
 APR 27 1970
 FBI - MOBILE
 4-22-70 05-02-90 APS

7 of

E. ROY CARLSON, JR.
 1001 BROADWAY ST.
 ARLETA, CA 91001
 1586
 4-27-70
 Scratch Paper Inc
 \$ 547.05
 Five Hundred Forty Seven and 05/100 DOLLARS
 AMERICAN PACIFIC
 STATE BANK
 E. Roy Carlson, Jr.

E. ROY CARLSON, JR.
 1001 BROADWAY ST.
 ARLETA, CA 91001
 1586
 4-27-70
 Scratch Paper Inc
 \$ 547.05
 Five Hundred Forty Seven and 05/100 DOLLARS
 AMERICAN PACIFIC
 STATE BANK
 E. Roy Carlson, Jr.

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FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

February 20, 1992

Michael N. Stafford, Esq.
O'Rourke, Stafford & Allan
104 North Belmont
Third Floor
Glendale, CA 91206

RE: MUR 3228
Roy Dahlson
Dahlson for Congress
and Alfred L. Nilsson,
as treasurer
Jack Mayesh Wholesale
Florist, Inc.

Dear Mr. Stafford:

We have your clients' submission of August 14, 1991. Upon review it appears that there yet remain certain outstanding questions. Specifically, in response to question 1(c) of our supplemental questions you state that the \$2,500 contribution resulted from the proceeds of a fund-raiser held for the candidate. The schedule of contributed funds submitted, however, evidence that all the contributions were made subsequent to the committee's reported receipt date of July 28, 1990. Please clarify this matter.

In answer to question 3(c) you note that the payor of the \$25,000 deposit to Mr. Dahlson's checking account is Stanley R. Kersten. Please indicate the nature of this deposit, i.e. whether this deposit represents payment for a debt owed Mr. Dahlson personally or a debt owed the corporation. If payment for a debt owed, please submit any written instruments evidencing the debt.

Please also state the nature of Mr. Dahlson's \$20,000 payment to Quality Chevrolet identified in response to question 5(b). If payment for the purchase of an automobile, please state whether the campaign made any use of the automobile.


Please explain the circumstances surrounding the apparent misreporting of a May 2, 1990, contribution from Jack Mayesh Wholesale Florist, Inc., on the committee's FEC Reports as coming from "Jack Mayesh."

Michael N. Stafford, Esq.
O'Rourke, Stafford & Allan
Page 2

Lastly, please indicate Mr. Dahlson's salary arrangement with the corporation and his ownership interest in the corporation. Please submit any written instruments evidencing any such arrangement or interest.

We would appreciate a response to these questions and document requests within twenty days of receipt of this letter. Should you have any questions, please contact me at (202) 219-3690.

Sincerely


Jose M. Rodriguez
Attorney

95043663399



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

March 25, 1992

Michael N. Stafford, Esq.
O'Rourke, Stafford & Allan
104 North Belmont
Third Floor
Glendale, CA 91206

RE: MUR 3228
Roy Dahlson
Dahlson for Congress
and Alfred L. Nilsson,
as treasurer
Jack Mayesh Wholesale
Florist, Inc.

Dear Mr. Stafford:

By letter dated February 20, 1992, this Office requested answers to certain specified questions and the production of certain documents. To date we have not received a response to this latest request. This letter serves as a reminder that the twenty day response period has expired. Accordingly, we would appreciate a response within five days of receipt of this letter.

Should this present a problem or should you have any questions, please contact me at (202) 219-3690.

Sincerely


Jose M. Rodriguez
Attorney

95043663400

0604599

O'ROURKE, STAFFORD & ALLAN

DENIS M. O'ROURKE
MICHAEL N. STAFFORD
JOAN H. ALLAN
HENRY YEKIKIAN
DAVID N. HASS
RODERICK D. FONG
JAMES W. BATES

ATTORNEYS AT LAW
104 NORTH BELMONT
THIRD FLOOR
GLENDALE, CALIFORNIA 91206

(818) 247-4303

MAILING ADDRESS:
P.O. BOX 10220
GLENDALE, CA 91209-3220
FAX (818) 247-1451

March 31, 1992

Jose M. Rodriguez, Esq.
Federal Election Commission
Washington, D. C. 20463

Re: MUR 3228
Dahlson for Congress

Dear Mr. Rodriguez:

This is to confirm our telephone conversation of this date, in which you granted Roy Dahlson, Dahlson for Congress, and Jack Mayesh Wholesale Florist, Inc. three weeks, up to and including April 21, 1992 in which to respond to your latest request for answers and documents.

Your continued understanding and courtesy are appreciated.

Very truly yours,

O'ROURKE, STAFFORD & ALLAN


RODERICK D. FONG

RDF:rc

92 APR -3 PM 3:12

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O'ROURKE, STAFFORD & ALLAN

DENIS M. O'ROURKE
MICHAEL N. STAFFORD
JOAN H. ALLAN
HENRY YEKIKIAN
DAVID N. HASS
RODERICK D. FONG
JAMES W. BATES

ATTORNEYS AT LAW
104 NORTH BELMONT
THIRD FLOOR
GLENDALE, CALIFORNIA 91206

(818) 247-4303

MAILING ADDRESS:
P.O. BOX 10220
GLENDALE, CA 91209-3220
FAX (818) 247-1451

April 14, 1992

Jose M. Rodriguez, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: MUR 3228
Roy Dahlson
Dahlson for Congress
Jack Mayesh Wholesale Florist, Inc.

Dear Mr. Rodriguez:

Roy Dahlson, Dahlson for Congress and Jack Mayesh Wholesale Florist, Inc. respond to your letter of February 20, 1992 as follows:

1. Our response to question 1(c) reflected contribution received subsequent to July 18, 1990, or more specifically in October, 1990, because that is what was requested by your letter of June 26, 1991. Please see enclosed copy of your letter of June 26, 1991, as well as my letter of August 14, 1991 in response.
2. The deposit represents re-payment of a \$25,000.00 personal loan made by Mr. Dahlson, as an individual and from his personal monies to Bernice Kersten, Mr. Kersten's sister. Ms. Kersten had passed away and Mr. Kersten made the payment from Ms. Kersten's estate.
3. The \$20,000.00 payment to Quality Chevrolet was for the purchase of a vehicle not used for campaign purposes.
4. There was no misreporting of the May 2, 1990 contribution. The form preparer opted for an abbreviated form of "Jack Mayesh Wholesale Florist, Inc." due to space limitations on the form itself.
5. Mr. Dahlson receives a weekly salary of from Jack Mayesh Wholesale Florist, Inc. There is no written salary agreement between the company and Mr. Dahlson. Mr. Dahlson holds 700 shares of the company's total 2,500 outstanding shares.

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Jose M. Rodriguez, Esq.
April 14, 1992
Page 2

I will forward a copy of the Minutes of the most recent shareholders meeting which confirms his holdings in the company, upon their receipt from my client.

Hopefully, the above information will aid in bringing this audit to a swift conclusion. Should you have any further questions, please do not hesitate to contact me.

Very truly yours,

O'ROURKE, STAFFORD & ALLAN



RODERICK D. FONG

RDF:rc
Enclosure

95043663403

O'ROURKE, STAFFORD & ALLAN

D'NIS M. O'ROURKE
MICHAEL N. STAFFORD
JOAN H. ALLAN
HENRY YEKIKIAN
DAVID N. HASS
RODERICK D. FONG
RANDY TENNEN
JAMES W. BATES

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GLENDALE, CALIFORNIA 91206

(818) 247-4303

MAILING ADDRESS:
P.O. BOX 10220
GLENDALE, CA 91209-3220

FAX (818) 247-1451

August 14, 1991

Federal Election Commission
Washington, D.C. 20463
Attention: Jose M. Rodriguez

Re: Roy Dahlson
MUR 3228

Dear Mr. Rodriguez:

The following is in response to your questions and Request for Production of Documents to Roy Dahlson and Dahlson for Congress dated June 26, 1991:

Question #1a

This was a cash payment made by Mr. Dahlson to open the Dahlson for Congress bank account deposited on April 4, 1990.

Question #1b

This represents payments made by Dahlson on behalf of Dahlson for Congress and consists primarily of the following:

<u>Date</u>	<u>Ck #</u>	<u>Amount</u>	<u>Payee</u>
4/17	1580	\$ 547.09	Scratch Pads
4/27	1586	\$ 547.10	Scratch Pads
2/12	1552	\$1,207.00	L.A. County Registrar
			Recorder
		\$ 20.81	Misc. Expenses
		<u>\$2,322.00</u>	

Mr. Dahlson cannot locate the cancelled checks for the above and has requested copies from the bank. Such copies will be forwarded as soon as they are received.

Question #1c

This represents contributions from a fund raiser held in October, 1990.

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95043663404

Mr. Jose M. Rodriguez
August 14, 1991
Re: Roy Dahlson

Page Two

Question #1d

The source was Roy Dahlson, check number 1681, dated 10/5/90.

Question #2

- a.) See attached bank statement.
- b.) As noted above, cancelled checks will be sent upon receipt from the bank.
- c.) See attached ledger sheet.
- d.) Mr. Dahlson cannot locate this cancelled check and has requested a copy from his bank, which will be forwarded to your office upon receipt.

Question #3

	<u>Date</u>	<u>Ck #</u>	<u>Payor</u>	<u>Amount</u>
a.)	7/30/90	4416	Jack Mayesh Wholesale Florist Inc.	\$19,000.00
b.)	9/30/90	4606	Jack Mayesh Wholesale Florist, Inc.	\$ 8,000.00
c.)	10/12/90	5242	Stanley R. Kersten	\$25,000.00
d.)	10/17/90	4628	Jack Mayesh Wholesale Florist, Inc.	\$10,000.00
e.)	10/16/90	8281	Jack Mayesh Wholesale Florist, Inc.	\$10,000.00

Question #4

See attached check copies.

Question #5

- a.) As noted in 1(d) above, the payee is Dahlson for Congress and a copy of the check will be forwarded upon receipt from the bank.
- b.) The payee is Quality Chevrolet.
- c.) The payee is the Daily News.

Mr. Jose M. Rodriguez
August 14, 1991
Re: Roy Dahlson

Page Three

Question #6

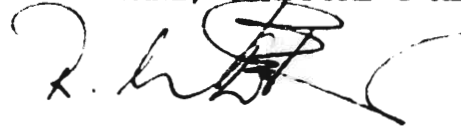
See attached copies.

Question #7

Roy Dahlson.

Very truly yours,

O'ROURKE, STAFFORD & ALLAN

A handwritten signature in dark ink, appearing to be "R. D. Fong", written over a horizontal line.

RODERICK D. FONG

RDF/gm
Enclosures

95043663406



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

July 10, 1992

Roderick D. Fong, Esq.
O'Rourke, Stafford & Allan
104 North Belmont
Third Floor
Glendale, CA 91206

RE: MUR 3228
Roy Dahlson, et al.

Dear Mr. Stafford:

On April 30, 1992, I contacted you by telephone concerning your response to our letter of February 20, 1992. In that letter this Office sought clarification of your earlier response to question 1(c) of our supplemental questions dated June 26, 1991. I informed you that the October date referenced in question 1(c) did not refer to the receipt date for the contribution at issue but rather the date the report was filed. The contribution was reported as received on July 28, 1990. Consequently, your earlier response that the contribution resulted from the proceeds of a fundraiser held in late October 1990 did not appear accurate because all contributions generated from the referenced fundraiser were made subsequent to the reported receipt date.

Having explained this, I expected clarification of the source of the contribution, but have not received any response. Accordingly, please now clarify the source of the \$2,500 contribution reported in the Committee's 1990 12 Day Pre-General Election Report as received on July 28, 1990.

Additionally, in your response to our letter of February 20, 1992, you note that a copy of the Minutes of Jack Mayesh Wholesale Florist's most recent shareholders meeting was to be provided to this Office. To date we have not received any such submission. Please now provide this documentation.

95043663407

Roderick D. Fong, Esq.
O'Rourke, Stafford & Allan
Page 2

We would appreciate a response to these questions and document requests within fifteen days of receipt of this letter. To help expedite resolution of the matter, we also invite you to request on behalf of your clients to enter into pre-probable cause conciliation. Should you have any questions, please contact me at (202) 219-3690.

Sincerely


Jose M. Rodriguez
Attorney

95043663408

O'ROURKE, STAFFORD & ALLAN

DENIS M. O'ROURKE
MICHAEL N. STAFFORD
JOAN H. ALLAN
DAVID N. HASS
RODERICK D. FONG
JAMES W. BATES

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MAILING ADDRESS:
P.O. BOX 10220
GLENDALE, CA 91209-3220

FAX (818) 247-1451

October 16, 1992

95043663409
Jose M. Rodriguez, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: NUR 3228
Roy Dahlson
Dahlson for Congress
Jack Mayesh Wholesale Florist, Inc.

Dear Mr. Rodriguez:

The \$2,500.00 contribution reported in the Committee's 1990 12 Day Pre-General Election Report was a cash loan made by Roy Dahlson, an individual. No documents exist as to this contribution. Also, please let this letter serve as formal request for a pre-probable cause conciliation.

Very truly yours,

O'ROURKE, STAFFORD & ALLAN



RODERICK D. FONG

RDF:rc

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BEFORE THE FEDERAL ELECTION COMMISSION

SEP 26 1991 PH 3:26

In the Matter of

Roy Dahlson
Dahlson for Congress, and Alfred L.
Nilsson, as treasurer
Jack Mayesh Wholesale Florist, Inc.

SENSITIVE

MUR 3228

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On February 26, 1991, the Commission found reason to believe Dahlson for Congress ("Committee") and Alfred L. Nilsson, as treasurer, violated 2 U.S.C. §§ 441b(a) and 434(b), and that Roy Dahlson and Jack Mayesh Wholesale Florist, Inc., ("Jack Mayesh, Inc.") violated 2 U.S.C. § 441b(a). These findings were premised on evidence indicating that a corporation associated with the candidate (Jack Mayesh, Inc.) had made at least two loans to the Committee totaling approximately \$20,000; and that the Committee misreported the source of one of these loans (totaling \$10,000) as having come from a "Jack Mayesh," thereby concealing the corporate source.

Specifically, the Committee reported two \$10,000 loans, one each from "Jack Mayesh" and from the candidate Roy Dahlson dated May 2 and May 21, 1990, respectively. On July 27, 1990, the Committee issued two refund checks totaling \$19,000 to Jack Mayesh, Inc., for the previous contributions and on July 28, 1990, the candidate wrote two personal checks to the Committee for the same amount in lieu of the corporate checks. It was partially because of the nature of these transactions that the

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Commission made its findings.¹ In response to our latest discovery requests and at our suggestion, Respondents through counsel request to enter into pre-probable cause conciliation. Attachment 1, at 27.

II. ANALYSIS

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Because the investigation in this matter has been completed, this Office recommends that the Commission grant Respondents' request. The available evidence demonstrates that the candidate Roy Dahlson accepted approximately \$47,000 in corporate contributions for his campaign from Jack Mayesh, Inc. Based on the candidate's personal banking statements, committee reports, check copies, and responses to interrogatories it may be established that the candidate followed a practice of making large loans to the Committee from his personal checking account, the original source of which was the corporation. See Attachment 1 (Copy of questions, responses, and relevant portion of documentary submissions). This evidence shows that shortly before the candidate wrote substantial personal checks to the Committee, deposits for roughly the same amount were transferred

1. Because the amount of the contributions as originally reported did not correspond with the amount of the refunds, it was unclear at the Reason to Believe stage whether the two then suspected contributions from the corporation totaled \$20,000 or \$19,000. Copies of the corporate checks subsequently submitted to this Office establish that the contribution total was \$19,000. See Attachment 1, at 4-7. Initially there was also some suspicion as to the origin of a \$2,322 contribution attributed to the candidate in the Committee's reports. The available evidence does not provide any basis for now questioning the disclosed source.

into his personal checking account from the corporation. The following chart shows the contributions that may be traced.

Deposits from corporation into candidate's account		Contributions from candidate to the Committee	
<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>
7/30/90	\$19,000	8/3/90	\$19,000 ²
10/3/90	\$ 8,000	10/4/90	\$10,000
10/17/90	\$10,000	10/23/90	\$18,000
10/19/90	\$10,000		
		Total	\$47,000

As the chart demonstrates, the candidate funneled a total of \$47,000 in corporate funds through his personal account to the Committee.³ Accordingly, Jack Mayesh, Inc. violated 2 U.S.C.

2. Based on the available evidence we know the following to be true. Jack Mayesh, Inc., made a \$10,000 contribution to the Committee on May 2, 1990, and a \$9,000 contribution on May 18, 1990. On July 27, 1990, the Committee refunded the two contributions to the corporation. On July 30, 1990, a \$19,000 check from the corporation was deposited into the candidate's account. Shortly thereafter, on August 3, 1990, the candidate made two contributions to the Committee totaling \$19,000 from the same account. This confirms the Commission's initial suspicion that the direct corporate contributions refunded by the Committee were subsequently deposited into the candidate's account and funneled back to the campaign. The amount cited above in the graph includes only the corporate funds funneled through the candidate's account back to the campaign subsequent to the Committee's refund, and not the initial direct corporate contributions refunded (i.e., this amount does not represent a double-counting of the same funds).

3. It does not appear that these corporate infusions could be viewed as the candidate's personal funds. Counsel for Respondents has informed this Office that Jack Mayesh, Inc., is not a Subchapter "S" Corporation, the candidate was not an officer of the corporation during the period at issue, and the candidate did not have a controlling interest in the corporation for the period at issue. Moreover, the corporate deposits into the candidate's account during the campaign period are far in

95043663412

§ 441b(a) by making \$47,000 in corporate contributions and the Committee violated 2 U.S.C. § 441b(a) by accepting the same. Likewise, Mr. Dahlson violated 2 U.S.C. § 441b(a) by accepting the contributions on the Committee's behalf as the candidate.

As concerns the apparent misreporting, counsel contends that the notation "Jack Mayesh" served only as an abbreviated form of the corporate name necessitated by the space limitation on the Commission's reporting form and was not a misreporting of the source of the contribution. Counsel's explanation is not persuasive. A review of the Committee's filing demonstrates that there was sufficient space to include the corporation's full name. See Attachment 2. Moreover, the form's schedule A is filled-out to give the impression that "Jack Mayesh" is an individual and not a corporation. Specifically, the form discloses "Jack Mayesh" as being "Self-Employed" as a "Wholesale Florist." See Id. at 1. Therefore, it also appears that the Committee misreported the source of a \$10,000 contribution in violation of 2 U.S.C. § 434(b).

III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

Attached are three (one for each respondent) separate conciliation agreements for the Commission's approval.

(Footnote 3 continued from previous page)
excess of the candidate's regular salary payments from the corporation.

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IV. RECOMMENDATIONS

1. Enter into conciliation with Dahlson for Congress and Alfred L. Nilsson, as treasurer, Jack Mayesh Wholesale Florist, Inc., and Roy Dahlson prior to a finding of probable cause to believe.
2. Approve the attached proposed conciliation agreements and the appropriate letters.

Lawrence M. Noble
General Counsel

Date 3/22/93

BY:

Lois G. Lefner
Associate General Counsel

Attachments

1. Request for conciliation and Responses
2. Committee Reports
3. Proposed Conciliation Agreements - 3

Staff assigned: Jose M. Rodriguez

95043663415



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/DONNA ROACH *DR*
COMMISSION SECRETARY

DATE: MARCH 26, 1993

SUBJECT: MUR 3228 - GENERAL COUNSEL'S REPORT
DATED MARCH 22, 1993.

The above-captioned document was circulated to the
Commission on Tuesday, March 23, 1993 at 4:00 p.m.

Objection(s) have been received from the
Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner McDonald	<u>XXX</u>
Commissioner McGarry	_____
Commissioner Potter	<u>XXX</u>
Commissioner Thomas	_____

This matter will be placed on the meeting agenda
for TUESDAY, APRIL 13, 1993.

Please notify us who will represent your Division before
the Commission on this matter.

95043663416

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Roy Dahlson;
Dahlson for Congress, and Alfred L.
Nilsson, as treasurer;
Jack Mayesh Wholesale Florist, Inc.)

MUR 3228

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on April 20, 1993, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 3228:

1. Enter into conciliation with Dahlson for Congress and Alfred L. Nilsson, as treasurer, Jack Mayesh Wholesale Florist, Inc., and Roy Dahlson prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreements and the appropriate letters as recommended in the General Counsel's report dated March 22, 1993.

Commissioners Aikens, Elliott, McDonald, McGarry, Potter, and Thomas voted affirmatively for the decision.

Attest:

4-20-93
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

95043663417



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

APRIL 22, 1993

Roderick D. Fong, Esq.
O'Rourke, Stafford & Allan
104 North Belmont
Third Floor
Glendale, CA 91206

RE: MUR 3228
Roy Dahlson
Dahlson for Congress and
Alfred L. Nilsson, as treasurer
Jack Mayesh Wholesale Florist,
Inc.

Dear Mr. Fong:

On February 26, 1991, the Federal Election Commission found reason to believe that your clients violated 2 U.S.C. § 441b(a). On the same date the Commission also found reason to believe that your client Roy Dahlson for Congress and Alfred L. Nilsson, as treasurer, separately violated 2 U.S.C. § 434(b). After several exchanges regarding the transactions at issue, at your request, on April 20, 1993, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.


Enclosed are three conciliation agreements that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreements, please sign and return them, along with the civil penalties, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

95043663418

Roderick D. Fong Esq.
O'Rourke, Stafford & Allan
Page 2

If you have any questions or suggestions for changes in the agreements, or if you wish to arrange a meeting in connection with mutually satisfactory conciliation agreements, please contact me at (202) 219-3690.

Sincerely,



Jose M. Rodriguez
Attorney

Enclosure
Conciliation Agreements - 3

95043663412



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

MAY 12, 1993

Roderick D. Fong, Esq.
O'Rourke, Stafford & Allan
104 North Belmont
Third Floor
Glendale, CA 91206

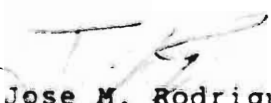
Re: MUR 3228

Dear Mr. Fong:

During our conversation on May 10, 1993, you indicated that your firm does not represent the committee Dahlson for Congress or its treasurer, Alfred L. Nilsson, in this matter. Enclosed please find three communications regarding this question. The communications suggests that your firm does represent Dahlson for Congress and its treasurer. I specifically draw your attention to our letter to Mr. Michael N. Stafford of your firm, dated April 5, 1991, and to the last paragraph of Mr. Stafford's response dated April 23, 1991. Please clarify this question immediately so that the affected parties may be notified of the proceedings in this matter.

Should you have any questions, please contact me at (202) 219-3690.

Sincerely,


Jose M. Rodriguez
Attorney

Enclosures

95043663420

DENIS M. O'ROURKE
MICHAEL N. STAFFORD
JOAN H. ALLAN
DAVID N. HASS
RODERICK D. FONG
JAMES W. BATES

O'ROURKE, STAFFORD & ALLAN

ATTORNEYS AT LAW
104 NORTH BELMONT
THIRD FLOOR
GLENDALE, CALIFORNIA 91206

(818) 247-4303

MAILING ADDRESS:
P.O. BOX 10220
GLENDALE, CA 91209-3220

FAX (818) 247-1451

MUR 3228

93 MAY 17 PM 12:30

TRANSMITTAL

PLEASE DELIVER THE FOLLOWING MATERIAL AS SOON AS POSSIBLE:

TO: Jose M. Rodriguez

FAX #: (202) 219-3923

FROM: Rod Fong

RE: Dahlson for Congress

DATE: May 12, 1993 OUR FILE NO.

NUMBER OF PAGES (INCLUDING COVER SHEET): 1

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE ADVISE AS SOON AS POSSIBLE
BY TELEPHONING (818) 247-4303.

O'ROURKE, STAFFORD & ALLAN

BY: HARD COPY TO FOLLOW:

MESSAGE.

In response to your letter of May 12: We represent Roy Dahlson, Dahlson for Congress and Jack Mayesh Wholesale Florist, Inc as indicated in Mr. Stafford's letter of April 23, 1991, a copy of which was faxed along with your letter.

We do not represent Alfred L. Nilsson.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

MAY 17, 1993

VIA FEDERAL EXPRESS

Alfred L. Nilsson, Treasurer
Dahlson for Congress
6722 Nagle Avenue
Van Nuys, CA 91401

RE: MUR 3228
Dahlson for Congress and
Alfred L. Nilsson, as treasurer


Dear Mr. Nilsson:

On March 13, 1991, you were notified care of the candidate Roy Dahlson (copy enclosed) that on February 26, 1991, the Federal Election Commission ("Commission") found reason to believe that Dahlson for Congress ("Committee") and you, as treasurer, violated 2 U.S.C. §§ 441b(a) and 434(b).

The Commission has entered into pre-probable cause conciliation negotiations with the Committee aimed at settling this matter. The Committee's counsel has recently informed us that he is not representing you in this matter. Accordingly, please be advised that as treasurer of the Committee you are separately liable for the violations involved. Also enclosed for your information is a copy of the Commission's proposed conciliation agreement with the Committee and you.

Should you have any questions, please contact me immediately at (202) 219-3690.

Sincerely,


Jose M. Rodriguez
Attorney

Enclosure

95043663422



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 17, 1993

VIA FACSIMILE and
FIRST CLASS MAIL

Roderick D. Fong, Esq.
O'Rourke, Stafford & Allan
104 North Belmont
Third Floor
Glendale, CA 91206


RE: MUR 3228

Dear Mr. Fong:

We are in receipt of your facsimile dated May 12, 1993, noting that your firm does not represent the Committee's treasurer Alfred L. Nilsson. We have notified Mr. Nilsson of the proceedings in this matter and have provided him with a copy of the Commission's findings and proposed conciliation agreement with the Committee.

On May 12, 1993, we requested immediate notification if your client did not intend to pursue conciliation at this time; because you have given no such notice, we expect to receive signed conciliation agreements by the due date of May 21, 1993. Should you have any questions, contact me at (202) 219-3690.

Sincerely,


Jose M. Rodriguez
Attorney

95043663423

LAW OFFICES OF
NORMAN A. LEWIN

ONE PARK PLAZA
3250 WILSHIRE BOULEVARD
SUITE 1750

LOS ANGELES, CALIFORNIA 90010

TELEPHONE (213) 385-3072 FACSIMILE (213) 386-8712

June 4, 1993

Jose M. Rodriguez, Esq.
Federal Election Commission
999 East Street, N.W.
Washington, D.C. 20463

Re: MUR 3228
Our Client: Alfred L. Nilsson, Treasurer
Dahlson for Congress

Dear Mr. Rodriguez:

Please be informed that the Law Offices of Norman A. Lewin has been retained to represent Alfred L. Nilsson with respect to allegations of violations of 2 U.S.C. Section 441b(a) and 434(b) pertaining to his role as treasurer of the campaign of Roy Dahlson for Congress.

At this time, we are reviewing the Factual and Legal Analysis of the Federal Election Commission, as well as the proposed Conciliation Agreement previously provided by your office to our client.

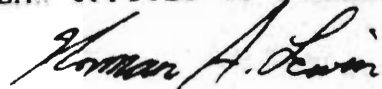
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Jose M. Rodriguez, Esq.
June 4, 1993
Page 2

Very truly yours,

LAW OFFICES OF NORMAN A. LEWIN



NORMAN A. LEWIN

NAL/msb

cc: Mr. Alfred L. Nilsson

95043663425

OGC 9290

LAW OFFICES OF
NORMAN A. LEWIN

ONE PARK PLAZA
3250 WILSHIRE BOULEVARD
SUITE 1750
LOS ANGELES, CALIFORNIA 90010
TELEPHONE (213) 385-3072 FACSIMILE (213) 386-8712

JUN 20 12 03 PM '93

June 14, 1993

Jonathon Brunstein, Esq.
Jose M. Rodriguez, Esq.
Federal Election Commission
999 East Street, N.W.
Washington, D.C. 20463

Re: MUR 3228
Our Client: Alfred L. Nilsson, Treasurer
Dahlson for Congress


Dear Mr. Brunstein:

This letter confirms our telephone conversation of today's date wherein you informed me that Mr. Rodriguez would be contacting me upon his return from vacation. This further confirms that you had requested, in conformance with policy of your office, a writing signed by my client acknowledging this office's retention as counsel to represent him in the above-referenced matter. In this respect, enclosed herewith please find a letter signed by my client concerning this issue. Should you require anything further please let me know at your earliest opportunity.

I look forward to speaking with Mr. Rodriguez and to hopefully resolving this matter within the near future.

Very truly yours,

LAW OFFICES OF NORMAN A. LEWIN



NORMAN A. LEWIN
NAL/msb
cc: Mr. Alfred L. Nilsson

93 JUN 20 PM 3:41

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95043663426

LAW OFFICES OF
NORMAN A. LEWIN

ONE PARK PLAZA
3250 WILSHIRE BOULEVARD
SUITE 1750
LOS ANGELES, CALIFORNIA 90010
TELEPHONE (213) 385-3072 FACSIMILE (213) 386-6712

93 JUL 28 PM 3:41

June 14, 1993

Jonathon Brunstein, Esq.
Jose M. Rodriguez, Esq.
Federal Election Commission
999 East Street, N.W.
Washington, D.C. 20463

Re: MUR 3228
Our Client: Alfred L. Nilsson, Treasurer
Dahlson for Congress

Gentlemen:

As indicated in my prior correspondence of June 4, 1993, this office has been retained to represent Alfred L. Nilsson with respect to the above-referenced matter. Pursuant to your request, I have obtained my client's signature below, acknowledging this fact.

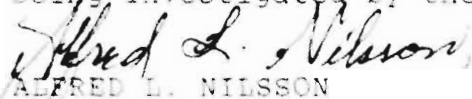
Very truly yours,

LAW OFFICES OF NORMAN A. LEWIN



NORMAN A. LEWIN
NAL/msb

I, Alfred L. Nilsson, acknowledge and state that I have retained the Law Offices of Norman A. Lewin to represent me in the matter being investigated by the Federal Election Commission, MUR 3228.


ALFRED L. NILSSON

JUNE 15, 1993

95043663427

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BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)
)
Roy Dahlson)
Dahlson for Congress and Alfred L.)
Nilsson, as treasurer)
Jack Mayesh Wholesale Florist, Inc.)

MUR 3228

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On February 26, 1991, the Commission found reason to believe Dahlson for Congress ("Committee") and Alfred L. Nilsson, as treasurer, violated 2 U.S.C. §§ 441b(a) and 434(b), and that Roy Dahlson and Jack Mayesh Wholesale Florist, Inc., violated 2 U.S.C. § 441b(a).

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Attached are documentary subpoenas to the candidate Roy Dahlson, the corporation, the Committee, and the Committee's treasurer Alfred L. Nilsson seeking additional information and documentation. Attachment 4, at 1-20.

In order to expedite the processing of this matter should additional information be required, this Office also recommends the Commission authorize subpoenas for deposition of the candidate, the treasurer, and all other individuals identified through the investigation who are responsible for the making and receipt of contributions and compliance with the Act.

95043663432

During the course of the initial investigation it was discovered that the candidate received into his personal checking account a large payment (\$25,000) drawn on a business check signed by an individual named Stanley R. Kersten. In response to our inquiries, respondents represented that the payment was in satisfaction of a loan owed to the candidate. However, the payment check was from a business engaged in the floral trade, suggesting that the debt may have in fact been owed to the corporation and not the candidate personally. As noted in previous reports, there is a clear indication that the candidate funneled through his account to the campaign numerous deposits from the corporation with which he was associated. Because this payment may have in fact represented a debt owed the corporation, and because this payment may have also been funneled to the campaign by the candidate, this Office intends to informally contact Mr. Kersten concerning the loan. To enable this Office to proceed expeditiously should this informal inquiry prove unproductive, this Office recommends that the Commission approve the attached subpoena and order to this individual. Attachment 4, at 21-25.

II. RECOMMENDATIONS

Approve the attached subpoenas and orders to Roy Dahlson, Jack Mayesh Wholesale Florist, Inc., Dahlson for Congress, Alfred L. Nilsson, and Stanley R. Kersten.

Approve deposition subpoenas to Roy Dahlson, Alfred L. Nilsson, all other individuals involved in any way in the making of corporate disbursements on behalf of Jack Mayesh Wholesale Florist, Inc., and all individuals involved in any way in the receipt of contributions, recordkeeping, or preparing of FEC reports on behalf of the Committee.

Approve the appropriate letters.

Lawrence M. Noble
General Counsel

Date

6/25/93

BY:


Lois G. Lerner
Associate General Counsel

95043663433

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Roy Dahlson;
Dahlson for Congress and Alfred L.
Nilsson, as treasurer;
Jack Mayesh Wholesale Florist, Inc.

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MUR 3228

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 30, 1993, the Commission decided by a vote of 6-0 to take the following actions in MUR 3228:

Approve the subpoenas and orders to Roy Dahlson, Jack Mayesh Wholesale Florist, Inc., Dahlson for Congress, Alfred L. Nilsson, and Stanley R. Kersten.

Approve deposition subpoenas to Roy Dahlson, Alfred L. Nilsson, all other individuals involved in any way in the making of corporate disbursements on behalf of Jack Mayesh Wholesale Florist, Inc., and all individuals involved in any way in the receipt of contributions, recordkeeping, or preparing of FEC reports on behalf of the Committee.

(continued)

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Approve the appropriate letters, as
recommended in the General Counsel's Report
dated June 25, 1993.

Commissioners Aikens, Elliott, McDonald, McGarry, Potter,
and Thomas voted affirmatively for the decision.

Attest:

6-30-93
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Fri., June 25, 1993 4:48 p.m.
Circulated to the Commission: Mon., June 28, 1993 11:00 a.m.
Deadline for vote: Wed., June 30, 1993 4:00 p.m.

bjr

95043663455



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

JULY 1, 1993

Stanley R. Kersten
734 S. San Julian St.
Los Angeles, CA 90014

RE: MUR 3228


Dear Mr. Kersten:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. Attached are interrogatories and a request for the production of documents seeking certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

Please submit your response to the attached interrogatories and request for production of documents within 30 days of receipt. All answers to questions must be submitted under oath. If you have any questions, please contact me at (800) 424-9530.

Sincerely,


Jose M. Rodriguez
Attorney

Enclosure
Interrogatories and Request for
Production of Documents

95043663436

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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)
) MUR 3228
)

**INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

TO: Stanley R. Kersten
734 S. San Julian St.
Los Angeles, CA 90014

95043663437

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 30 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from April 1 to November 30, 1990.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

95043663438

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named individual to whom these discovery requests are addressed, including officers, employees, agents or attorneys thereof.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and request for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

95043663432

QUESTIONS AND REQUEST FOR DOCUMENTS

1. Please explain the nature of the \$25,000 payment made by you to Mr. Roy Dahlson on October 12, 1990. (Check number 5242)
2. If made in satisfaction of a debt, explain the nature of the debt.
3. Produce all documents concerning relating, or in any way pertaining to the debt and/or payment.

95043663440



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JULY 1, 1993

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Roderick D. Fong, Esq.
O'Rourke, Stafford & Allan
104 North Belmont
Third Floor
Glendale, CA 91206

RE: MUR 3228
Roy Dahlson
Dahlson for Congress
Jack Mayesh Wholesale
Florist, Inc.

Dear Mr. Fong:

This letter is to confirm the Federal Election Commission's receipt of the counterproposal submitted by you on your clients behalf on June 4, 1993. The Commission has reviewed and rejected the counterproposal. Because certain questions remain outstanding, this Office is continuing its investigation into the violations in this matter.

Accordingly, the Commission has issued the attached subpoenas and orders requiring your clients to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

It is required that your clients submit all answers to questions under oath within 30 days of your receipt of these subpoenas and orders. If you have any questions, please contact me at (202) 219-3690.

Sincerely,


Jose M. Rodriguez
Attorney

Enclosures
Subpoenas and Orders

95043663441

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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)
) MUR 3228
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SUBPOENA TO PRODUCE DOCUMENTS


TO: Roy Dahlson
c/o Roderick D. Fong, Esq.
O'Rourke, Stafford & Allan
104 North Belmont
Third Floor
Glendale, CA 91206

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby subpoenas the documents listed on the attachment to this subpoena.

Notice is given that these documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 30 days of your receipt of this subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

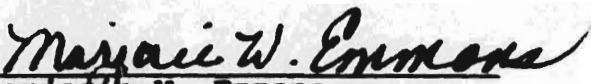
95043663442

WHEREFORE, the Chairman of the Federal Election Commission
has hereunto set his hand in Washington, D.C. on this *1st* day
of *July*, 19*13*.



Scott E. Thomas, Chairman
Federal Election Commission

ATTEST:



Marjorie W. Emmons
Secretary to the Commission

Attachment
Document Request (3 pages)

95043663443

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from April 1 to November 30, 1990.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

95043663444

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and request for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

95043663445

REQUESTS FOR DOCUMENTS

1. Produce all bank statements and check registers for each checking and/or savings account held by you, not previously produced.
2. Produce all documents concerning, relating, or in any way pertaining to all salary and/or other compensation agreements between Jack Mayesh Wholesale Florist, Inc. and you.
3. Produce all documents concerning, relating, or in any way pertaining to all loans made by Jack Mayesh Wholesale Florist, Inc. to you.

95043663446

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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) MUR 3228
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SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Dahlson for Congress
c/o Roderick D. Pong, Esq.
O'Rourke, Stafford & Allan
104 North Belmont
Third Floor
Glendale, CA 91206

95043663447

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

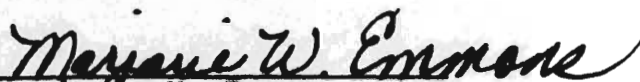
Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 30 days of receipt of this Order and Subpoena.

WHEREFORE, the Chairman of the Federal Election Commission
has hereunto set his hand in Washington, D.C. on this *1st*, day
of *July*, 19*93*.



Scott E. Thomas, Chairman
Federal Election Commission

ATTEST:



Marjorie W. Emmons
Secretary to the Commission

Attachments
Questions and Document Request (3 pages)

95043663448

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from April 1 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

95043663449

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to an individual shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such individual, the nature of the connection or association that individual has to any party in this proceeding.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and request for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

95043663450

QUESTIONS AND REQUEST FOR DOCUMENTS

1. Identify all individuals involved in the acceptance and deposit of contributions to Dahlson for Congress, including an explanation of the type and extent of the involvement.
2. Identify all individuals with signature authority for Dahlson for Congress.
3. Identify all individuals involved in the completion and/or review of Dahlson for Congress' federal disclosure reports.
4. List and explain all procedures for the completion and/or review of Dahlson for Congress' federal disclosure reports, including the identification of individuals involved and an explanation of the type and extent of the involvement. Produce all documents concerning, relating, or in any way pertaining to the listed procedures.

95043663451

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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)
) MUR 3228
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SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Jack Mayesh Wholesale Florist, Inc.
c/o Roderick D. Fong, Esq.
O'Rourke, Stafford & Allan
104 North Belmont
Third Floor
Glendale, CA 91206

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 30 days of receipt of this Order and Subpoena.

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MUR 3228

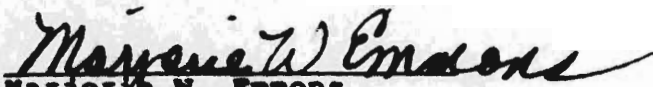
Jack Mayesh Wholesale Florist, Inc.
Subpoena and Order
Page 2

WHEREFORE, the Chairman of the Federal Election Commission
has hereunto set his hand in Washington, D.C. on this *1st*, day
of *July*, 1993.



Scott E. Thomas, Chairman
Federal Election Commission

ATTEST:



Marjorie W. Emmons
Secretary to the Commission

Attachments

Questions and Document Request (3 pages)

95043663453

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from April 1 to November 30, 1990.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

95043663454

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to an individual shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such individual, the nature of the connection or association that individual has to any party in this proceeding.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and request for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

95043663455

QUESTIONS AND REQUESTS FOR DOCUMENTS

1. List all checking accounts held by Jack Mayesh Wholesale Florist, Inc. Produce all bank statements and check registers for each account listed, not previously produced.
2. Identify all individuals with signature authority on all checking accounts listed in response to question one.
3. List and explain all salary and/or other compensation agreements between Jack Mayesh Wholesale Florist, Inc. and Roy Dahlson, including but not limited to the amount of compensation, the method of compensation, and the compensation schedule. Produce all documents concerning, relating, or in any way pertaining to the listed agreements.
4. List and explain all loans made by Jack Mayesh Wholesale Florist, Inc. to Roy Dahlson, including but not limited to the date, amount, and purpose of the listed loans. Produce all documents concerning, relating, or in any way pertaining to the listed loans.
5. Produce all minutes of the Jack Mayesh Wholesale Florist, Inc., board of directors meeting where the loans listed in response to question four were voted on or otherwise discussed.
6. Identify all past and present members of the board of directors and/or officers of Jack Mayesh Wholesale Florist, Inc., including the time served in the positions, for the period from the corporation's inception to the present.
7. Identify all individuals having an ownership interest in Jack Mayesh Wholesale Florist, Inc. from the corporation's inception to the present, including the extent of the ownership interest and the period during which the interest was held.

95043663456



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JULY 16, 1993

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Norman A. Lewin, Esq.
One Park Plaza
3250 Wilshire Boulevard
Suite 1750
Los Angeles, CA 90010

RE: MUR 3228
Alfred L. Nilsson

Dear Mr. Lewin:

On May 17, 1993, your client was provided with a copy of the Commission's proposed conciliation agreement with Dahlson for Congress ("Committee") and your client, as treasurer. On June 4, 1993, you notified this Office that you had been retained to represent Mr. Nilsson and that you were in the process of reviewing the proposed agreement. The pre-probable cause conciliation period has expired without a forthcoming response from your client. Because the Commission has been unable to reach agreement with the Committee, the Commission is engaging in further investigation.

Accordingly, the Commission has issued the attached subpoena requiring your client to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

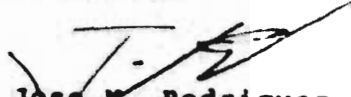
Additionally, as requested in our telephone conversation of June 24, 1993, please inform us of your client's present relationship with the Committee.

95043663457

MUR 3228
Norman A. Lewin, Esq.
Page 2

It is required that your client submit the requested information within thirty days of receipt of this subpoena. Should you have any questions, please contact me at (202) 219-3690.

Sincerely,


Jose M. Rodriguez
Attorney

Enclosure
Subpoena

95043663458

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
)
) MUR 3228
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SUBPOENA TO PRODUCE DOCUMENTS

TO: Alfred L. Nilsson
c/o Norman A. Lewin, Esq.
One Park Plaza
3250 Wilshire Boulevard
Suite 1750
Los Angeles, CA 90010

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby subpoenas the documents listed on the attachment to this subpoena.

Notice is given that these documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 30 days of your receipt of this subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

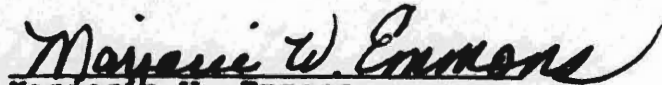
95043663457

WHEREFORE, the Chairman of the Federal Election Commission
has hereunto set his hand in Washington, D.C. on this *1st* day
of *July*, 19*93*.



Scott E. Thomas, Chairman
Federal Election Commission

ATTEST:



Marjorie W. Emmons
Secretary to the Commission

Attachment
Document Request (3 pages)

95043663400

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from April 1 to November 30, 1990.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and request for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

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REQUEST FOR DOCUMENTS

Produce all documents concerning, relating, or in any way pertaining to all procedures for the completion and/or review of Dahlson for Congress' federal disclosure reports.

95043663463

OWC 96/2

O'ROURKE, STAFFORD, ALLAN & FONG

DENIS M. O'ROURKE
MICHAEL N. STAFFORD
JOAN H. ALLAN
RODERICK D. FONG
JAMES E. BERTZ

ATTORNEYS AT LAW
104 NORTH BELMONT
THIRD FLOOR
GLENDALE, CALIFORNIA 91206

MAILING ADDRESS:
P.O. BOX 10220
GLENDALE, CA 91209-3220

FAX (818) 247-1451

(818) 247-4303

August 2, 1993

Federal Election Commission
Office of the General Counsel
999 E Street N.W.
Washington, D.C. 20463
Attention: JOSE RODRIGUEZ

Re: MUR 3228

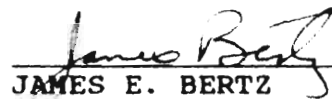
Dear Mr. Rodriguez:

This is to confirm our telephone conversation of this morning wherein you graciously granted an extension for Roy Dahlson to respond to the Commission's subpoenas. Mr. Dahlson's responses are now due on August 27, 1993. Mr. Dahlson will supply the information and documents requested in the subpoenas to the best of his ability.

Should you have any questions regarding this matter, please do not hesitate to contact our office.

Very truly yours,

O'ROURKE, STAFFORD, ALLAN & FONG


JAMES E. BERTZ

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ALICE
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OGC 9708

LAW OFFICES OF
NORMAN A. LEWIN

ONE PARK PLAZA
3250 WILSHIRE BOULEVARD
SUITE 1750
LOS ANGELES, CALIFORNIA 90010

TELEPHONE (213) 385-3072 FACSIMILE (213) 386-8712

AUG 17 3 59 AM '93

August 10, 1993

Jose M. Rodriguez, Esq.
Federal Election Commission
999 East Street, N.W.
Washington, D.C. 20463

Re: MUR 3228
Our Client: Alfred L. Nilsson, Treasurer
Dahlson for Congress

Gentlemen:

This letter confirms our telephone conversation of today's date wherein you graciously agreed to provide our office an extension of fifteen days from the original due date of August 16, 1993 by which to provide a response to the subpoena for documentation.

Per our conversation, the documents requested essentially pertain to any written procedures of any kind which may have existed with respect to completion of federal disclosure reports. It is our understanding that the actual reports filed need not be produced as those are already in your possession. Of course, any disclosure reports which may have been completed, but not sent, for whatever reason, should be produced.

Should any of the foregoing not be with your understanding or should you wish to discuss this matter further please call me immediately.

Very truly yours,

LAW OFFICES OF NORMAN A. LEWIN



NORMAN A. LEWIN
NAL/msb
cc: Alfred Nilsson

93 AUG 17 AM 04

RECEIVED
FEDERAL ELECTION COMMISSION

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

AUGUST 17, 1993

Norman A. Lewin, Esq.
One Park Plaza
3250 Wilshire Boulevard
Suite 1750
Los Angeles, CA 90010

RE: MUR 3228
Alfred L. Nilsson

Dear Mr. Lewin:

This is in response to your letter dated August 10, 1993, and serves to confirm that the Office of the General Counsel has granted the requested extension in which to respond to the Commission's subpoena. Accordingly, your response is due by the close of business on August 31, 1993.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,


Jose M. Rodriguez
Attorney

95043663466



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

AUGUST 17, 1993

James E. Bertz, Esq.
O'Rourke, Stafford, Allan & Fong
104 North Belmont
Third Floor
Glendale, CA 91206

RE: MUR 3228
Roy Dahlson
Dahlson for Congress
Jack Mayesh Wholesale
Florist, Inc.

Dear Mr. Fong:

This is in response to your letter dated August 2, 1993, and serves to confirm that the Office of the General Counsel has granted the requested extension in which to respond to the Commission's subpoena. Accordingly, your response is due by the close of business on August 27, 1993.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,


Jose M. Rodriguez
Attorney

95043663407

OGC 9792

LAW OFFICES OF
NORMAN A. LEWIN

ONE PARK PLAZA
3250 WILSHIRE BOULEVARD
SUITE 1750
LOS ANGELES, CALIFORNIA 90010

TELEPHONE (213) 385-3072 FACSIMILE (213) 386-8712

AUG 26 8 53 AM '93

August 16, 1993

Jose M. Rodriguez, Esq.
Federal Election Commission
999 East Street, N.W.
Washington, D.C. 20463

Re: MUR 3228
Our Client: Alfred L. Nilsson, Treasurer
Dahlson for Congress

Dear Mr. Rodriguez.

Enclosed herewith please find a response to the Subpoena to Produce Documents along with a verification on behalf of our client Alfred L. Nilsson.

Pursuant to your request we have contacted our client with respect to his understanding of the status of the Committee to Elect Roy Dahlson, and with respect to his standing with said committee. Please be informed that our client has informed us that he has had no involvement with the Committee since the filing of the Final Report, and that other than this investigation, his understanding is that no activity has taken place.

Should you require any further information, please feel free to contact me.

Very truly yours,

LAW OFFICES OF NORMAN A. LEWIN



NORMAN A. LEWIN
NAL/msb
cc: Alfred Nilsson

93 AUG 26 AM 9:52

95043603468

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Dahlson for Congress and
Alfred L. Nilsson, as treasurer

MUR 3228

RESPONSE OF ALFRED L. NILSSON TO
SUBPOENA TO PRODUCE DOCUMENTS

Propounding Party: Federal Election Commission

Responding Party : Alfred L. Nilsson

Response to Document Request Number One: This responding party has made a diligent search for the documents sought and this responding party lacks the ability to comply with this request as the documents sought, other than the document listed below, have never existed.

Documentation responsive to subpoena: Federal Election Commission Campaign Guide, dated July 8, 1988. Please note that this document was provided to me by the Federal Election Commission and, therefore, should be within the subpoenaing party's possession. A copy of said guide can be produced upon request.

Dated: August 16, 1993

LAW OFFICES OF NORMAN A. LEWIN
One Park Plaza
3250 Wilshire Boulevard
Suite 1750
Los Angeles, California 90010
213-385-3072

By: Norman A. Lewin
NORMAN A. LEWIN
Attorneys for Alfred L. Nilsson

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF

I have read the foregoing Response of Alfred L. Nilsson to Subpoena to Produce Documents and know its contents.

CHECK APPLICABLE PARAGRAPH

☒ I am a party to this action. The matters stated in it are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☐ I am ☐ an Officer ☐ a partner ☐ a _____ of _____

a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. I have read the foregoing document and know its contents. The matters stated in it are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☐ I am one of the attorneys for _____

a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I have read the foregoing document and know its contents. I am informed and believe and on that ground allege that the matters stated in it are true.

Executed on August 19 1993 at Van Nuys California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Alfred L. Nilsson
Signature

ACKNOWLEDGMENT OF RECEIPT OF DOCUMENT (other than summons and complaint)

Received copy of document described as _____

on _____ 19 _____

Signature

PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles State of California.

I am over the age of 18 and not a party to the within action; my business address is:
3250 Wilshire Blvd., Suite 1750, Los Angeles, California 90010-1607

On 8/23 1993 I served the foregoing document described as Response of Alfred L. Nilsson to Subpoena to Produce Documents

on _____ Interested Parties

in this action by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid in the United States mail at _____

3250 Wilshire Blvd., Los Angeles, CA 90010

addressed as follows

Jose M Rodriguez Esq.
Federal Election Commission
919 East Street, N.W.
Washington, D.C. 20463

☒ (BY MAIL) I caused such envelope with postage thereon fully prepaid to be placed in the United States mail _____ California.

☐ (BY PERSONAL SERVICE) I caused such envelope to be delivered by hand to the offices of the addressee.
Executed on _____ 19 _____ at _____ California.

(State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Grant
Signature

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RECEIVED
FEDERAL ELECTION COMMISSION
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RODERICK D. FONG, State Bar No. 140028
O'ROURKE, STAFFORD, ALLAN & FONG
104 North Belmont, Third Floor
P. O. Box 10220
Glendale, CA 91209-3220
Telephone: (818) 247-4303

Attorneys for Respondents,
ROY DAHLSON, DAHLSON FOR CONGRESS, and JACK MAYESH WHOLESALE
FLORIST, INC., a California corporation

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF)	CASE NO.: MUR 3228
)	
ROY DAHLSON,)	RESPONSES OF RESPONDENT
DAHLSON FOR CONGRESS,)	ROY DAHLSON TO THE
JACK MAYESH WHOLESALE)	SUBPOENA TO PRODUCE
FLORISTS, INC.,)	DOCUMENTS OF THE FEDERAL
)	ELECTION COMMISSION
Respondents.)	
)	

PROPOUNDING PARTY: FEDERAL ELECTION COMMISSION
RESPONDING PARTY: ROY DAHLSON

COMES NOW Respondent, ROY DAHLSON, individually, and for
nobody else, and responds to the FEDERAL ELECTION COMMISSION's
Subpoena To Produce Documents as follows:

INTRODUCTORY COMMENTS

This responding party has not completed discovery, and
anticipates that further information relevant to this Subpoena
may be obtained in the future.

Each of the following responses is rendered and based upon
information in the possession of this responding party at the
time of the preparation of these responses. This responding

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1 party's discovery will continue as long as permitted by statute
2 or stipulation of the parties, and investigation by this
3 responding party and by its attorneys and agents, will continue
4 to and throughout the resolution of this action. Therefore,
5 responding party specifically reserves the right to introduce any
6 evidence from any source which may hereinafter be discovered, and
7 to introduce any testimony from any witness whose identity may
8 hereinafter be discovered.

9 If any information has been unintentionally omitted from
10 these responses, the subpoenaed party reserves the right to apply
11 for relief so as to permit the insertion of the omitted data from
12 these responses. These introductory comments shall apply to each
13 and every response given herein, and shall be incorporated by
14 reference as though fully set forth in the responses hereinafter
15 stated.

16 GENERAL OBJECTIONS

17 1. These responses are made for the purpose of this matter
18 and this matter only. Each response is subject to all objections
19 as to competence, relevance, materiality, propriety and
20 admissibility and to any and all other objections on any other
21 ground that would require the exclusion of any statement
22 contained in any response, if any, all of which objections and
23 grounds are hereby reserved and may be interposed at the time of
24 hearing or other proceeding on this matter.

25 2. The following responses are based upon information
26 presently available to this responding party and except for
27 explicit facts expressly admitted herein, if any, no incidental
28 or implied admission are intended hereby. The fact that this

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1 responding party has answered or objected to any demand for
2 production or part thereof should not be taken as an admission
3 that this responding party accepts or admits the existence of any
4 facts set forth or assumed by such request, or that such answer
5 or objection constitutes admissible evidence. The fact that this
6 responding party has responded to part or all of any such request
7 for documents is not intended and shall not be construed as a
8 waiver by this responding party of all or any part of any
9 objection to any such demand.

10 3. To the extent that any or all of the requests for
11 production of documents calls for information which constitutes
12 information prepared in anticipation of litigation or for trial
13 or which is otherwise covered by the attorney/work product
14 doctrine, or is protected from disclosure by the attorney/client
15 privilege or any other privilege, this responding party will not
16 supply or render any information or material protected from
17 discovery by virtue of such doctrine or privilege.

18 4. This responding party objects generally to propounding
19 party's Subpoena to Produce Documents on the grounds that they,
20 and each of them, are burdensome and oppressive. This responding
21 party further objects generally to propounding party's Subpoena
22 on the grounds that the information sought is not relevant to the
23 subject matter of this litigation and is not reasonably
24 calculated to lead to the discovery of admissible evidence. This
25 responding party further objects to said subpoena to the extent
26 that said requests seek information which is privileged from
27 discovery. This responding party further objects to said
28 subpoena because the requests for production are vague,

1 ambiguous, and unintelligible.

2 5. The foregoing objections are incorporated into each and
3 every response hereinafter set forth, to each and every
4 particular response as though fully set forth therein, and
5 without waiving any of the foregoing objections, this responding
6 party responds to the Subpoena To Produce Documents, as follows:

7 RESPONSE TO DEMAND NO. 1:

8 All documents within the possession and control of this
9 answering party which are responsive to this request has already
10 been produced and is within the possession and control of the
11 propounding party. These have already been produced to the
12 Federal Election Commission. As such, there are no additional
13 documents responsive to this request in the possession of this
14 responding party.

15 RESPONSE TO DEMAND NO. 2:

16 There are no documents which are responsive to this request
17 in the possession of this responding party.

18 RESPONSE TO DEMAND NO. 3:

19 There are no documents which are responsive to this request
20 in the possession of this responding party.

21 DATED: August ____, 1993 O'ROURKE, STAFFORD, ALLAN & FONG
22

23 By:

24 RODERICK D. FONG, Attorneys
25 for Respondent, ROY DAHLSON
26
27
28

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I have read the foregoing RESPONSES OF RESPONDENT ROY DAHLSON TO THE SUBPOENA TO PRODUCE DOCUMENTS OF THE FEDERAL ELECTION COMMISSION and know its contents.

☒ CHECK APPLICABLE PARAGRAPH

☒ I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☐ I am ☐ an Officer ☐ a partner ☐ a _____ of _____

a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. ☐ I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. ☒ The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☐ I am one of the attorneys for _____, a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on August 27, 1993, at Glendale, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Roy Dahlson

Type or Print Name

Roy Dahlson
Signature

PROOF OF SERVICE

1013A (3) CCP Revised 5/1/88

STATE OF CALIFORNIA, COUNTY OF

I am employed in the county of _____, State of California.

I am over the age of 18 and not a party to the within action; my business address is _____

On _____, 19____, I served the foregoing document described as _____

_____ on _____ in this action

☐ by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list;
☐ by placing ☐ the original ☐ a true copy thereof enclosed in sealed envelopes addressed as follows:

☐ BY MAIL

☐ *I deposited such envelope in the mail at _____, California.
The envelope was mailed with postage thereon fully prepaid.

☐ As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at _____ California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on _____, 19____, at _____, California.

☐ *(BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

Executed on _____, 19____, at _____, California.

☐ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct

☐ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Type or Print Name

Signature

STUART'S EXBOOK TIMESAVER (REVISED 5/1/88)
NEW DISCOVERY LAW 2080 AND 2031 CCP
(May be used in California State or Federal Courts)

*(BY MAIL SIGNATURE MUST BE OF PERSON DEPOSITING ENVELOPE IN MAIL SLOT, BOX, OR RAG)
**FOR PERSONAL SERVICE SIGNATURE MUST BE THAT OF MESSENGER

IN SAN DIEGO COUNTY LOCAL RULE 87 REQUIRES "ALL PROOFS OF SERVICE FILED WITH THE COURT AS OF JULY 1, 1990 MUST SPECIFY THE NAME OF THE PARTY SERVED THE NATURE AND STATUS OF HIS/HER INVOLVEMENT IN THE CASE, I.E. PLAINTIFF, DEFENDANT, CROSS COMPLAINANT, ETC., AND THE NAME, ADDRESS AND PHONE NUMBER OF HIS/HER COUNSEL OF RECORD

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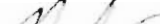
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true and correct.



ROBERT G. MINDEESS

1 RODERICK D. FONG, State Bar No. 140028
2 O'ROURKE, STAFFORD, ALLAN & FONG
3 104 North Belmont, Third Floor
4 P. O. Box 10220
5 Glendale, CA 91209-3220
6 Telephone: (818) 247-4303

7
8 Attorneys for Respondents,
9 ROY DAHLSON, DAHLSON FOR CONGRESS, and JACK MAYESH WHOLESALE
10 FLORIST, INC., a California corporation
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BEFORE THE FEDERAL ELECTION COMMISSION

10 IN THE MATTER OF) CASE NO.: MUR 3228
11)
12 ROY DAHLSON,) RESPONSES OF RESPONDENT
13 DAHLSON FOR CONGRESS,) DAHLSON FOR CONGRESS TO THE
14 JACK MAYESH WHOLESALE) SUBPOENA TO PRODUCE
15 FLORISTS, INC.,) DOCUMENTS AND ORDER TO
16) SUBMIT WRITTEN ANSWERS TO
17 Respondents.) THE FEDERAL ELECTION
18) COMMISSION

19 PROPOUNDING PARTY: FEDERAL ELECTION COMMISSION

20 RESPONDING PARTY: DAHLSON FOR CONGRESS

21 COMES NOW Respondent, DAHLSON FOR CONGRESS, for itself, and
22 for nobody else, and responds to the FEDERAL ELECTION
23 COMMISSION's Subpoena To Produce Documents and Order To Submit
24 Written Answers as follows:

25
26
27
28

INTRODUCTORY COMMENTS

29 This responding party has not completed discovery, and
30 anticipates that further information relevant to this Subpoena
31 and Order may be obtained in the future.

32 Each of the following responses is rendered and based upon
33 information in the possession of this responding party at the

95043663478
1 time of the preparation of these responses. This responding
2 party's discovery will continue as long as permitted by statute
3 or stipulation of the parties, and investigation by this
4 responding party and by its attorneys and agents, will continue
5 to and throughout the resolution of this action. Therefore,
6 responding party specifically reserves the right to introduce any
7 evidence from any source which may hereinafter be discovered, and
8 to introduce any testimony from any witness whose identity may
9 hereinafter be discovered.

10 If any information has been unintentionally omitted from
11 these responses, the subpoenaed and ordered party reserves the
12 right to apply for relief so as to permit the insertion of the
13 omitted data from these responses. These introductory comments
14 shall apply to each and every response given herein, and shall be
15 incorporated by reference as though fully set forth in the
16 responses hereinafter stated.

17 GENERAL OBJECTIONS

18 1. These responses are made for the purpose of this matter
19 and this matter only. Each response is subject to all objections
20 as to competence, relevance, materiality, propriety and
21 admissibility and to any and all other objections on any other
22 ground that would require the exclusion of any statement
23 contained in any response, if any, all of which objections and
24 grounds are hereby reserved and may be interposed at the time of
25 hearing or other proceeding on this matter.

26 2. The following responses are based upon information
27 presently available to this responding party and except for
28 explicit facts expressly admitted herein, if any, no incidental

95043663479

1 or implied admission are intended hereby. The fact that this
2 responding party has answered or objected to any subpoenaed or
3 ordered items or any part thereof should not be taken as an
4 admission that this responding party accepts or admits the
5 existence of any facts set forth or assumed by such request, or
6 that such answer or objection constitutes admissible evidence.
7 The fact that this responding party has responded to part or all
8 of any such subpoena or order is not intended and shall not be
9 construed as a waiver by this responding party of all or any part
10 of any objection to any such demand.

11 3. To the extent that any or all of the requests for
12 production of documents or order to submit written answers calls
13 for information which constitutes information prepared in
14 anticipation of litigation or for trial or which is otherwise
15 covered by the attorney/work product doctrine, or is protected
16 from disclosure by the attorney/client privilege or any other
17 privilege, this responding party will not supply or render any
18 information or material protected from discovery by virtue of
19 such doctrine or privilege.

20 4. This responding party objects generally to propounding
21 party's Subpoena to Produce Documents and Order To Submit Written
22 Answers on the grounds that they, and each of them, are
23 burdensome and oppressive. This responding party further objects
24 generally to propounding party's Subpoena and Order on the
25 grounds that the information sought is not relevant to the
26 subject matter of this matter and is not reasonably calculated to
27 lead to the discovery of admissible evidence. This responding
28 party further objects to said subpoena and order to the extent

1 that said requests seek information which is privileged from
2 discovery. This responding party further objects to said
3 subpoena and order to submit written answers because the requests
4 for production are vague, ambiguous, and unintelligible.

5 5. The foregoing objections are incorporated into each and
6 every response hereinafter set forth, to each and every
7 particular response as though fully set forth therein, and
8 without waiving any of the foregoing objections, this responding
9 party responds to the Subpoena To Produce Documents and Order To
10 Submit Written Answers, as follows:

11 RESPONSE TO DEMAND NO. 1:

12 Mr. Roy Dahlson, Post Office Box 1108, Arleta, California
13 91331. Mr. Dahlson was the candidate and directly received some
14 contributions, while others came via the United States mail. All
15 contributions received by Mr. Dahlson personally were given to
16 the Treasurer of the Dahlson For Congress Committee.

17 Mr. Alfred L. Nilsson, 6722 Nagle Avenue, Van Nuys,
18 California 90401. Mr. Nilsson filled out the required Reports Of
19 Receipts And Disbursements for the April 15 Quarterly Report, the
20 July 15 Quarterly Report, the October 15 Quarterly Report, the
21 January 31 Year End Report, the July 31 Mid-Year Report, and the
22 Termination Report, as well as any amendments required thereto.

23 As Treasurer for the Dahlson For Congress Committee, all
24 contributions received were deposited into the committee's
25 account and accounted for on the required reports in accordance
26 with the Federal Election Commission's Campaign Guide For
27 Congressional Candidates and Commissions (Dated July 1988).

28 \\\

1 RESPONSE TO DEMAND NO. 2:

2 Mr. Roy Dahlson, Post Office Box 1108, Arleta, California
3 91331; and Mr. Alfred L. Nilsson, 6722 Nagle Avenue, Van Nuys,
4 California 90401.

5 RESPONSE TO DEMAND NO. 3:

6 Mr. Roy Dahlson, Post Office Box 1108, Arleta, California
7 91331; and Mr. Alfred L. Nilsson, 6722 Nagle Avenue, Van Nuys,
8 California 90401.

9 RESPONSE TO DEMAND NO. 4:

10 The federal disclosure reports were completed and signed by
11 the Dahlson For Congress Treasurer according to the Federal
12 Election Commission's Campaign Guide For Congressional Candidates
13 and Commissions (Dated July 1988). The Reports were sent to the
14 Federal Election Commission. When the Commission found a
15 discrepancy or ambiguity, a letter was sent and responded to with
16 a return correspondence and whatever additional information was
17 required by the commission of the Dahlson For Congress Committee,

18 These letters always asked for a return response from the
19 F.E.C. if the amendments were not thorough or explanatory enough.

20 Mr. Roy Dahlson, Post Office Box 1108, Arleta, California
21 91331; and Mr. Alfred L. Nilsson, 6722 Nagle Avenue, Van Nuys,
22 California 90401, were both involved as explained in Question #3.

23 The Federal Election Commission's Campaign Guide For
24 Congressional Candidates and Commissions (Dated July 1988),
25 explained the procedures to go through for the completing of the
26 federal disclosure forms. As it was written by the F.E.C., it is

27 \\\

28 \\\

1 in the possession of this requesting party and will not be
2 produced by this responding party.

3
4 DATED: August 26, 1993

O'ROURKE, STAFFORD, ALLAN & FONG

5
6 By:


7 RODERICK D. FONG, Attorneys
8 for Respondent, DARLSON FOR
9 CONGRESS

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I have read the foregoing RESPONSES OF RESPONDENT DAHLSON FOR CONGRESS TO THE SUBPOENA TO PRODUCE DOCUMENTS AND ORDER TO SUBMIT WRITTEN ANSWERS TO THE F&ED and know its contents.

☒ CHECK APPLICABLE PARAGRAPH

☒ I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☐ I am ☐ an Officer ☐ a partner ☐ a _____ of _____

a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. ☐ I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. ☒ The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☐ I am one of the attorneys for _____

a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on August 27, 1993, at Glendale, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Roy Dahlson

Type or Print Name

Roy Dahlson
Signature

PROOF OF SERVICE

1011A (3) CCP Revised 5/1/88

STATE OF CALIFORNIA, COUNTY OF

I am employed in the county of _____, State of California.

I am over the age of 18 and not a party to the within action; my business address is: _____

On _____, 19____, I served the foregoing document described as _____

_____ on _____ in this action

☐ by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list;
☐ by placing ☐ the original ☐ a true copy thereof enclosed in sealed envelopes addressed as follows:

☐ BY MAIL

☐ *I deposited such envelope in the mail at _____, California.
The envelope was mailed with postage thereon fully prepaid.

☐ As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at _____ California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on _____, 19____, at _____, California.

☐ ** (BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

Executed on _____, 19____, at _____, California.

☐ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☐ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Type or Print Name

Signature

STUART'S ENVELOPE MANUFACTURER (REVISED 8/1/88)
SEE DISCOVERY LAW 2080 AND 2031 CCP
Also see used in California State or Federal Courts

BY MAIL SIGNATURE MUST BE OF PERSON DEPOSITING ENVELOPE IN MAIL SLOT, BOX, OR BAG.
**FOR PERSONAL SERVICE SIGNATURE MUST BE THAT OF MESSENGER

N. SAN DIEGO COUNTY LOCAL RULE 87 REQUIRES ALL PROOFS OF SERVICE FILED WITH THE COURT AS OF JULY 1, 1990 MUST SPECIFY THE NAME OF THE PARTY SERVED, THE NATURE AND STATUS OF HIS/HER INVOLVEMENT IN THE CASE, (E. PLAINIFF, DEFENDANT, CROSS COMPLAINT, ETC.) AND THE NAME, ADDRESS AND PHONE NUMBER OF HIS/HER COUNSEL OF RECORD.

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1 RODERICK D. FONG, State Bar No. 140028
2 O'ROURKE, STAFFORD, ALLAN & FONG
3 104 North Belmont, Third Floor
4 P. O. Box 10220
5 Glendale, CA 91209-3220
6 Telephone: (818) 247-4303

7 Attorneys for Respondents,
8 ROY DAHLSON, DAHLSON FOR CONGRESS, and JACK MAYESH WHOLESALE
9 FLORIST, INC., a California corporation

10 **BEFORE THE FEDERAL ELECTION COMMISSION**

11 IN THE MATTER OF) CASE NO.: MUR 3228
12)
13 ROY DAHLSON,) RESPONSES OF RESPONDENT
14 DAHLSON FOR CONGRESS,) JACK MAYESH WHOLESALE
15 JACK MAYESH WHOLESALE) FLORISTS, INC. TO THE
16 FLORISTS, INC.,) SUBPOENA TO PRODUCE
17) DOCUMENTS AND ORDER TO
18 Respondents.) SUBMIT WRITTEN ANSWERS
19) TO THE FEDERAL ELECTION
20 COMMISSION

21 PROPOUNDING PARTY: FEDERAL ELECTION COMMISSION
22 RESPONDING PARTY: JACK MAYESH WHOLESALE FLORISTS, INC.

23 COMES NOW Respondent, JACK MAYESH WHOLESALE FLORISTS, INC.,
24 for itself, and for nobody else, and responds to the FEDERAL
25 ELECTION COMMISSION's Subpoena To Produce Documents and Order To
26 Submit Written Answers as follows:

27 **INTRODUCTORY COMMENTS**

28 This responding party has not completed discovery, and
anticipates that further information relevant to this Subpoena
and Order may be obtained in the future.

Each of the following responses is rendered and based upon
information in the possession of this responding party at the

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1 time of the preparation of these responses. This responding
2 party's discovery will continue as long as permitted by statute
3 or stipulation of the parties, and investigation by this
4 responding party and by its attorneys and agents, will continue
5 to and throughout the resolution of this action. Therefore,
6 responding party specifically reserves the right to introduce any
7 evidence from any source which may hereinafter be discovered, and
8 to introduce any testimony from any witness whose identity may
9 hereinafter be discovered.

10 If any information has been unintentionally omitted from
11 these responses, the subpoenaed and ordered party reserves the
12 right to apply for relief so as to permit the insertion of the
13 omitted data from these responses. These introductory comments
14 shall apply to each and every response given herein, and shall be
15 incorporated by reference as though fully set forth in the
16 responses hereinafter stated.

17 GENERAL OBJECTIONS

18 1. These responses are made for the purpose of this matter
19 and this matter only. Each response is subject to all objections
20 as to competence, relevance, materiality, propriety and
21 admissibility and to any and all other objections on any other
22 ground that would require the exclusion of any statement
23 contained in any response, if any, all of which objections and
24 grounds are hereby reserved and may be interposed at the time of
25 hearing or other proceeding on this matter.

26 2. The following responses are based upon information
27 presently available to this responding party and except for
28 explicit facts expressly admitted herein, if any, no incidental

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1 or implied admission are intended hereby. The fact that this
2 responding party has answered or objected to any subpoenaed or
3 ordered items or any part thereof should not be taken as an
4 admission that this responding party accepts or admits the
5 existence of any facts set forth or assumed by such request, or
6 that such answer or objection constitutes admissible evidence.
7 The fact that this responding party has responded to part or all
8 of any such subpoena or order is not intended and shall not be
9 construed as a waiver by this responding party of all or any part
10 of any objection to any such demand.

11 3. To the extent that any or all of the requests for
12 production of documents or order to submit written answers calls
13 for information which constitutes information prepared in
14 anticipation of litigation or for trial or which is otherwise
15 covered by the attorney/work product doctrine, or is protected
16 from disclosure by the attorney/client privilege or any other
17 privilege, this responding party will not supply or render any
18 information or material protected from discovery by virtue of
19 such doctrine or privilege.

20 4. This responding party objects generally to propounding
21 party's Subpoena to Produce Documents and Order To Submit Written
22 Answers on the grounds that they, and each of them, are
23 burdensome and oppressive. This responding party further objects
24 generally to propounding party's Subpoena and Order on the
25 grounds that the information sought is not relevant to the
26 subject matter of this matter and is not reasonably calculated to
27 lead to the discovery of admissible evidence. This responding
28 party further objects to said subpoena and order to the extent

1 that said requests seek information which is privileged from
2 discovery. This responding party further objects to said
3 subpoena and order to submit written answers because the requests
4 for production are vague, ambiguous, and unintelligible.

5 5. The foregoing objections are incorporated into each and
6 every response hereinafter set forth, to each and every
7 particular response as though fully set forth therein, and
8 without waiving any of the foregoing objections, this responding
9 party responds to the Subpoena To Produce Documents and Order To
10 Submit Written Answers, as follows:

11 RESPONSE TO DEMAND NO. 1:

12 Checking Accounts

13 Payroll Account, Sumitomo Bank

14 General Account, Bank of America

15 Retirement Account, Bank of America

16 Tutti Verde Account, Bank of America

17 RESPONSE TO DEMAND NO. 2:

18 Individuals with Signature Authority on Checking Accounts

19 (1) Emil Roy Dahlson, Jr.; (2) Geraldine Eileen Dahlson; (3) Emil
20 Roy Dahlson, III; (4) Cynthia Susan McJunkins, and (5) Patrick
21 Martin Dahlson.

22 RESPONSE TO DEMAND NO. 3:

23 There are no documents or other written memoranda which are
24 responsive to this request within the possession and control of
25 this responding party. Jack Mayesh Wholesale Florists, Inc. is a
26 family-owned business and salary is based upon the needs of each
27 family member. It is understood between and among the Dahlson
28 family that if any one needs a raise to meet expenses, it will be

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1 granted as long as such a raise does not harm the company, is
2 justified, and is agreed to by the family members,
3 (shareholders). In the case of Roy Dahlson, he was eligible for
4 raises based upon merit, but from 1986 through July of 1993,
5 raises were not taken.

6 RESPONSE TO DEMAND NO. 4:

7 There were loans made by Jack Mayesh Wholesale Florists,
8 Inc. to Roy Dahlson which were of a personal nature and over the
9 years totalled approximately \$40,000.00. Jack Mayesh Wholesale
10 Florists, Inc. is a family-owned business and personal loans are
11 available based upon the needs of each family member. It is
12 understood between and among the Dahlson family that if any one
13 needs a loan to meet an expectancy, it will be granted as long as
14 such a raise does not harm the company, is justified, and is
15 agreed to by the family members, (shareholders).

16 RESPONSE TO DEMAND NO. 5:

17 All documents within the possession and control of this
18 responding party will be produced for the Federal Election
19 Commission.

20 RESPONSE TO DEMAND NO. 6:

21 Members of the Board of Directors
22 Emil Roy Dahlson, Jr.
23 Geraldine Eileen Dahlson
24 Emil Roy Dahlson, III
25 Cynthia Susan McJunkins
26 Patrick Martin Dahlson
27 \\\
28 \\\

1 RESPONSE TO DEMAND NO. 7:

2 Ownership interest in Jack Mayesh Wholesale Florists, Inc.

3	Emil Roy Dahlson, Jr.	700 shares
	Geraldine Eileen Dahlson	800 shares
4	Emil Roy Dahlson, III	100 shares
	Cynthia Susan McJunkins	100 shares
5	Patrick Martin Dahlson	100 shares
	Anthony Michael Dahlson	100 shares
6	Christian Phillip Dahlson	100 shares
	Richard Alan Dahlson	100 shares
7	Pamela Marie Dahlson	100 shares
	Ted Russell Dahlson	100 shares
8	Stephan Jeffrey Dahlson	100 shares
	David Michael Dahlson	100 shares

9 DATED: August 26, 1993

O'ROURKE, STAFFORD, ALLAN & FONG

11 By: 

12 RODERICK D. FONG, Attorneys
13 for Respondent, JACK MAYESH
14 WHOLESALE FLORISTS, INC.
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VERIFICATION

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I have read the foregoing RESPONSES OF RESPONDENT JACK MAYESH WHOLESALE FLORISTS, INC. TO THE SUBPOENA TO PRODUCE DOCUMENTS AND ORDER TO SUBMIT ANSWERS and know its contents.

☒ CHECK APPLICABLE PARAGRAPH

☐ I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☒ I am ☒ an Officer ☐ a partner ☐ a _____ of JACK MAYESH WHOLESALE FLORISTS, INCORPORATED

a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. ☐ I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. ☒ The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☐ I am one of the attorneys for _____, a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on August 27, 1993, at Glendale, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Roy Dahlson

Type or Print Name

Roy Dahlson
Signature

PROOF OF SERVICE

1013A (3) CCP Revised 5/1/88

STATE OF CALIFORNIA, COUNTY OF

I am employed in the county of _____, State of California.

I am over the age of 18 and not a party to the within action; my business address is: _____

On _____, 19____, I served the foregoing document described as _____

_____ on _____ in this action

☐ by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list:
☐ by placing ☐ the original ☐ a true copy thereof enclosed in sealed envelopes addressed as follows:

☐ BY MAIL

☐ *I deposited such envelope in the mail at _____, California.
The envelope was mailed with postage thereon fully prepaid.

☐ As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at _____ California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on _____, 19____, at _____, California.

☐ ** (BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee

Executed on _____, 19____, at _____, California.

☐ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☐ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Type or Print Name

Signature

STUART'S EXHIBIT TIMESAVER (REVISED 5/1/88)
NEW DISCOVERY LAW 2000 AND 2001 CCP
May be used in California State or Federal Courts

*BY MAIL SIGNATURE MUST BE OF PERSON DEPOSITING ENVELOPE IN MAIL SLOT, BOX OR BAG.
**FOR PERSONAL SERVICE SIGNATURE MUST BE THAT OF MESSENGER

IN SAN DIEGO COUNTY LOCAL RULE 67 REQUIRES "ALL PROOFS OF SERVICE FILED WITH THE COURT AS OF JULY 1, 1990" MUST SPECIFY THE NAME OF THE PARTY SERVED, THE NATURE AND STATUS OF HIS/HER INVOLVEMENT IN THE CASE, (E. PLAINIFF, DEFENDANT, CROSS COMPLAINANT, ETC.) AND THE NAME, ADDRESS AND PHONE NUMBER OF HIS/HER COUNSEL OF RECORD.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

SEPTEMBER 13, 1993

Roderick D. Fong, Esq.
O'Rourke, Stafford, Allan & Fong
104 North Belmont, Third Floor
P.O. Box 10220
Glendale, CA 91209-3220

RE: MUR 3228

Dear Mr. Fong:

We are in receipt of your clients' responses of August 31, 1993, to the Commission subpoenas and orders. Upon review, it appears that several of the responses submitted by your client Jack Mayesh Wholesale Florist, Inc., require clarification. Specifically, in response to question one your client lists four separate bank accounts. However, not included on the list are two bank accounts at Sumitomo Bank (#'s 00201638970 and 00201732670) which we understand also belong to the corporation. Clarify if these accounts are/were held by your client. If so, produce all bank statements and check registers for the accounts (not previously produced) at the same time that these documents are produced for the accounts listed in the response. Also indicate the time frame for the production of the numerous bank account documents.

In response to question two your client lists several individuals with signature authority on the accounts held by Jack Mayesh Inc. Indicate which specific accounts these individuals were authorized to sign on.

Your client's response to question four seems to suggest that no written agreements exist concerning loans from Jack Mayesh Inc. to the candidate Roy Dahlson. If this is correct, affirmatively state that no such documents exist.

Lastly, in response your client produced numerous W-2's disclosing the candidate's salary from the corporation. Aside from this salary income, did the candidate receive any other income from the corporation? If so, indicate the form of income received and provide copies of all documentation concerning

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MUR 3228
Roderick D. Fong, Esq.
Page 2

such income, including but not limited to the candidate's income tax returns and all books and records of Jack Mayesh Inc. reflecting the payments. Please submit a response to these questions within 15 days of receipt. Should you have any questions, please contact me at (202) 219-3690.

Sincerely,



Jose H. Rodriguez
Attorney

95043663494



FEDERAL ELECTION COMMISSION
WASHINGTON D C 20461

SEPTEMBER 13, 1993

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Stanley R. Kersten
734 S. San Julian St.
Los Angeles, CA 90014

RE: MUR 3228

Dear Mr. Kersten:

On July 1, 1993, this Office provided you with interrogatories and a request for the production of documents seeking information in connection with an investigation in the above captioned matter. Because you have not responded to these informal requests, the Commission has issued the attached subpoena and order requiring you to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

As noted in our previous letter, the Commission does not consider you a respondent in this matter, but rather a witness only. Also as previously noted, because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

It is required that you submit all answers to questions under oath within 15 days of your receipt of this subpoena and order. If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Jose M. Rodriguez
Attorney

Enclosures
Subpoena and Order.

95043663425

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
)
) MUR 3228
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS


TO: Stanley R. Kersten
734 S. San Julian St.
Los Angeles, CA 90014

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of receipt of this Order and Subpoena.

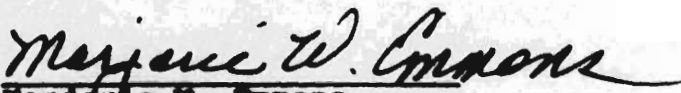
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WHEREFORE, the Chairman of the Federal Election Commission
has hereunto set his hand in Washington, D.C. on this *13th* day
of *September*, 19*B*.



Scott E. Thomas, Chairman
Federal Election Commission

ATTEST:



Marjorie W. Emons
Secretary to the Commission

Attachments
Questions and Document Request (3 pages)

95043663421

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from April 1 to November 30, 1990.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named individual to whom these discovery requests are addressed, including officers, employees, agents or attorneys thereof.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and request for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

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QUESTIONS AND REQUEST FOR DOCUMENTS

1. Please explain the nature of the \$25,000 payment made by you to Mr. Roy Dahlson on October 12, 1990. (Check number 5242, account number 0741-041719).
2. If made in satisfaction of a debt, explain the nature of the debt.
3. Produce all documents concerning relating, or in any way pertaining to the debt and/or payment.

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O'ROURKE, STAFFORD, ALLAN & FUNG

DENIS M. O'ROURKE
MICHAEL N. STAFFORD
JOAN H. ALLAN
RODERICK D. FONG
JAMES E. BERTZ

ATTORNEYS AT LAW
104 NORTH BELMONT
THIRD FLOOR
GLENDALE, CALIFORNIA 91206

MAILING ADDRESS:
P.O. BOX 10220
GLENDALE, CA 91209-3220
FAX (818) 247-1451

(818) 247-4303

September 27, 1993

Mr. Jose M. Rodriguez, Esq.
Federal Election Commission
Washington, D.C. 20463

RE: Dahlson for Congress
MUR 3228

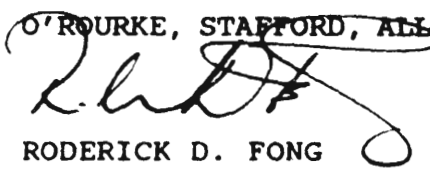
Dear Mr. Rodriguez,

In response to your letter of September 13, 1993,
here are the clarifications you requested:

1. The two Sumitomo accounts which you listed
were Jack Mayesh's general
and retirement accounts, have been transferred to Bank of
America. This transfer took place during August or
September of 1990.
2. As to the listing of individuals with signatory
authority on the bank accounts, each listed individual
has authority on every account.
3. No written documents exist with respect to
loans made from Jack Mayesh Wholesale Florist, Inc. to
Roy Dahlson.
4. Roy Dahlson received no other direct income
from Jack Mayesh Wholesale Florist, Inc. other than his
salary. He did receive loans from the corporation from
time to time.

The tax returns and bank documentation previously
requested will be furnished to the Commission as soon as
practicable, as Mr. Dahlson is presently in the hospital.
Upon receipt of this correspondence, please contact
Roderick D. Fong if you have any questions. Please be
advised that an additional follow-up response with more
documents will be forthcoming as soon as the requested
information is available.

Very Truly Yours,

O'ROURKE, STAFFORD, ALLAN & FONG

RODERICK D. FONG

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STANLEY R. KERSTEN
FLOWERS & SERVICE

734 S. San Julian St. • Los Angeles, California 90014 • (213) 622-3415

FEDERAL ELECTION COMMISSION

September 30, 1993

999 E. STREET, NW
WASHINGTON, DC 20463

Attention: MR. JOSE M. RODRIGUEZ

MUR 3228

Dear Mr. Rodriguez,

Although your office sent me a request for documents and interrogatories July 1, 1993, the former manager, Bruce Taylor, who was in charge at that time, did not forward any of these to me. I had no knowledge of your inquiry until I received your subpoena. Therefore, I did not respond promptly.

I have enclosed some documentation of statements from Jack Mayesh (Mr. Dahlson) for the months of May, June, July, 1990 which, I hope will be of some value to your investigation.

Every year I'd purchase flowers while paying some amount of the total. While paying some debts in arrear, we still purchased flowers. At the end of the year, it seemed as if we still had the same total debts.

The nature of the \$25,000.00 payment by me to Mr. Dahlson on October 12, 1990, was to satisfy, as I presumed, an accumulative debt for flowers purchased for my shop.

Eric Wagner, manager during 1989 - 1990 is a personal and political friend of Mr. Dahlson. He suggested that I pay the lump sum then. Perhaps Mr. Wagner knew that Mr. Dahlson could use some financial support at that time.

Hoping this may be of some help to you in clarifying the situation, I remain,

Sincerely yours,


Stanley R. Kersten

Encs: copies of Statements - *) Statement for the month of April is also enclosed.

ED/lt

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Jack Mayesh Whsl Floris Inc
P.O. Box 1108
Arleta, CA 91331
(818) 780-1847

STATEMENT Page 1

REMITTANCE STUB

PLEASE RETURN THIS PORTION
WITH PAYMENT FOR PROPER CREDIT.

AMOUNT PAID \$


ACCOUNT OF:

STANLEY KERSTEN
734 S. SAN JULIAN ST
LOS ANGELES, CA 90014

PLEASE REMIT TO:

Jack Mayesh Whsl Floris Inc
P.O. Box 1108
Arleta, CA 91331

ACCOUNT NO.		STATEMENT DATE			
ST KER		04/30/90			
DATE	REFERENCE		CHARGES	CREDITS	BALANCE
	BALANCE FWD				13,249.30
4/ 2	180603	S	55.00		13,304.30
4/ 2	180938	S	407.00		13,711.30
4/ 3	180139	S	150.50		13,861.80
4/ 4	180632	S	201.00		14,062.80
4/ 4	186326	S	87.00		14,149.80
4/ 5	175254	S	119.00		14,268.80
4/ 5	175255	S	45.00		14,313.80
4/ 7	186286	S	8.00		14,321.80
4/ 9	180745	S	424.50		14,746.30
4/ 9	185835	S	12.50		14,758.80
4/ 9	185836	S	32.50		14,791.30
4/10	185084	S	165.00		14,956.30
4/10	185089	S	67.00		15,023.30
4/10	185838	S	86.50		15,109.80
4/11	175357	S	26.50		15,136.30
4/12	192063	S	152.00		15,288.30
4/12	196004	S	75.00		15,363.30
CURRENT		31-60 DAYS	61-90 DAYS	OVER 90 DAYS	PAY LAST AMOUNT IN THIS COLUMN

ACCOUNT NO.		STATEMENT DATE	
ST KER		04/30/90	
REFERENCE	CODE	BALANCE	
BALANCE FWD		13,249.30	
180603	S	13,304.30	
180938	S	13,711.30	
180139	S	13,861.80	
180532	S	14,062.80	
186326	S	14,149.80	
175254	S	14,268.80	
175255	S	14,313.80	
186286	S	14,321.80	
180745	S	14,746.30	
185835	S	14,758.80	
185836	S	14,791.30	
185084	S	14,956.30	
185089	S	15,023.30	
185838	S	15,109.80	
175357	S	15,136.30	
192063	S	15,288.30	
196004	S	15,363.30	
		 PAY LAST AMOUNT IN THIS COLUMN	

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Jack Mayesh Whal Floris Inc
P.O. Box 1108
Arleta, CA 91331
(818) 780-1847

STATEMENT Page 1

REMITTANCE STUB

PLEASE RETURN THIS PORTION
WITH PAYMENT FOR PROPER CREDIT

AMOUNT PAID \$

ACCOUNT OF:

STANLEY KERSTEN
734 S. SAN JULIAN ST
LOS ANGELES, CA 90011

PLEASE REMIT TO:

Jack Mayesh Whal Floris Inc
P.O. Box 1108
Arleta, CA 91331

ACCOUNT NO.			STATEMENT DATE		
ST KER			07/31/90		
DATE	REFERENCE	CHARGES	CREDITS	BALANCE	
7/13	4447				
7/31	0	232.94			
Total Credits:			\$500.00		
CURRENT	31-60 DAYS	61-90 DAYS	OVER 90 DAYS	PAY LAST AMOUNT IN THIS COLUMN	

ACCOUNT NO.		STATEMENT DATE	
ST KER		07/31/90	
REFERENCE	BALANCE		
BALANCE FWD	12,146.55		
4447	11,646.55		
0	11,879.48		
Total Due		\$11,879.48	
		PAY LAST AMOUNT IN THIS COLUMN	

Jack Mayesh Whsl Floris Inc
P.O. Box 1108
Arlene, CA 91331
(818) 780-1847

9 5 0 4 5 6 6 STATEMENT Page 1

REMITTANCE STUB

PLEASE RETURN THIS PORTION
WITH PAYMENT FOR PROPER CREDIT

AMOUNT PAID \$

ACCOUNT OF:

STANLEY KERSTEN
734 S. SAN JULIAN ST
LOS ANGELES, CA 90014

PLEASE REMIT TO:

Jack Mayesh Whsl Floris Inc
P.O. Box 1108
Arlene, CA 91331

ACCOUNT NO.			STATEMENT DATE		
ST KER			06/31/90		
DATE	REFERENCE		CHARGES	CREDITS	BALANCE
	BALANCE FWD				13,513.56
6/18	234533	P		169.00	13,344.56
6/25	4240	P		1,500.00	11,844.56
6/30	0	SC	301.99		12,146.55
Total Credits				1,669.00	
CURRENT	31-60 DAYS	61-90 DAYS	OVER 90 DAYS	PAY LAST AMOUNT IN THIS COLUMN	

ACCOUNT NO.		STATEMENT DATE	
ST KER		06/31/90	
REFERENCE		BALANCE	
BALANCE FWD		13,513.56	
234533	P	13,344.56	
4240	P	11,844.56	
0	SC	12,146.55	
Total Debits		112,146.55	
		PAY LAST AMOUNT IN THIS COLUMN	

Jack Mayesh Whsl Floris Inc
P.O. Box 1108
Anaheim, CA 91331
(818) 780-1847

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STATEMENT Page 1

REMITTANCE STUB

PLEASE RETURN THIS PORTION
WITH PAYMENT FOR PROPER CREDIT

AMOUNT PAID \$

ACCOUNT OF:

STANLEY KERSTEN
734 S SAN JULIAN ST
LOS ANGELES, CA 90014

PLEASE REMIT TO:

Jack Mayesh Whsl Floris Inc
P.O. Box 1108
Anaheim, CA 91331

ACCOUNT NO.			STATEMENT DATE		
ST KER			05/31/90		
DATE	REFERENCE		CHARGES	CREDITS	BALANCE
	BALANCE FWD				13,555.84
5/31	0	SC	254.57		13,820.81
5/31	200145	MC		307.25	13,513.56
Total Credits:				307.25	
CURRENT	31-60 DAYS	61-90 DAYS	OVER 90 DAYS	PAY LAST AMOUNT IN THIS COLUMN	

ACCOUNT NO.		STATEMENT DATE	
ST KER		05/31/90	
REFERENCE		BALANCE	
BALANCE FWD		13,555.84	
0	SC	13,820.81	
200145	MC	13,513.56	
Total Due:		13,513.56	
		PAY LAST AMOUNT IN THIS COLUMN	

Jack Mayesh Whsl Floris Inc
P.O. Box 1108
Anaheim, CA 91331
(818) 780-1247

STATEMENT

Page 2

REMITTANCE STUB

PLEASE RETURN THIS PORTION
WITH PAYMENT FOR PROPER CREDIT

AMOUNT PAID \$

ACCOUNT OF:

STANLEY KERSTEN
734 S. SAN JULIAN ST
LOS ANGELES, CA 90014

PLEASE REMIT TO:

Jack Mayesh Whsl Floris Inc
P.O. Box 1108
Anaheim, CA 91331

ACCOUNT NO.			STATEMENT DATE		
ST KER			04/30/90		
DATE	REFERENCE		CHARGES	CREDITS	BALANCE
4/13	193062	S	182.00		15,545.30
4/14	185966	S	57.50		15,602.80
4/16	196009	S	120.00		15,722.80
4/17	196015	S	22.00		15,744.80
4/19	3711	P		2,497.00	13,247.80
4/20	175360	S	53.00		13,340.80
4/30	0	S	215.04		13,555.84
Total Credits:				2,497.00	
CURRENT	31-60 DAYS	61-90 DAYS	OVER 90 DAYS	PAY LAST AMOUNT IN THIS COLUMN	

ACCOUNT NO.			STATEMENT DATE		
ST KER			04/30/90		
REFERENCE		BALANCE			
193062	S	15,545.30			
185966	S	15,602.80			
196009	S	15,722.80			
196015	S	15,744.80			
3711	P	13,247.80			
175360	S	13,340.80			
0	S	13,555.84			
Total Credits:			2,497.00		
			PAY LAST AMOUNT IN THIS COLUMN		

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STANLEY R. KERSTEN
FLOWERS & SERVICE

734 S. San Julian St. • Los Angeles, California 90014 • (213) 622-3415

FEDERAL ELECTION COMMISSION

September 30, 1993

999 E. STREET, NW
WASHINGTON, DC 20463

ATTENTION: MR. JOSE M. RODRIGUEZ

Persons who furnished information: Edith Dong and Lily Tan

Persons who drafted interrogatory response: Edith Dong
and Lily Tan

Stanley R. Kersten

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEC
STAMP
SENSITIVE

January 13, 1994

MEMORANDUM

To: The Commission
From: Lois G. Lerner *LL*
Associate General Counsel
Subject: MUR 3228

Recommended Actions in Light of FEC v. NRA
Political Victory Fund, No. 91-5360, (D.C. Cir.
Oct. 22, 1993)

I. BACKGROUND

On November 5, 1993, the Office of the General Counsel forwarded to the Commission a memorandum regarding the recent appellate decision in FEC v. NRA Political Victory Fund, et al. No. 91-5360 (D.C. Cir. Oct. 22, 1993) and advised the Commission on the effects and implications of that decision on the pending enforcement caseload. This Office has reviewed the Commission's pending enforcement docket and in this memorandum makes recommendations with respect to MURs in which the Commission found reason to believe prior to the court's decision in NRA. The recommendations put forth as to each of the matters are consistent with the Commission's November 9, 1993, decisions concerning compliance with the NRA opinion.

II. RECOMMENDED ACTIONS IN LIGHT OF FEC v. NRA

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MUR 3228 (formerly 90L-57)

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This Office recommends that the Commission, consistent with its November 9, 1993, decisions concerning compliance with the NRA opinion, and based on the original referral from the Reports Analysis Division, revote to: open a MUR; find reason to believe Dahlson for Congress and Alfred L. Nilsson, as treasurer, violated 2 U.S.C. §§ 441b(a) and 434(b); find reason to believe that Roy Dahlson violated 2 U.S.C. § 441b(a); and, find reason to believe that Jack Mayesh Wholesale Florist, Inc. violated 2 U.S.C. § 441b(a). In addition, it is recommended that the Commission revote to approve the attached Subpoena to Produce Documents to Roy Dahlson, and the attached Subpoena to Produce Documents and Order to Submit Written Answers to Jack Mayesh Wholesale Florist, Inc., both of which were previously approved by the Commission. (Attachment 7.) To date, the subpoenas have not been fully complied with. Furthermore, it is recommended that the Commission approve the Factual and Legal Analyses for these respondents that were attached to the General Counsel's Report dated February 8, 1991. Copies of the certifications reflecting the Commission's previous votes are attached. (Attachments 8 and 9.)

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III. RECOMMENDATIONS

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MUR 3228 (formerly 90L-57)

Open a MUR.

Find reason to believe that Dahlson for Congress and Alfred L. Nilsson, as treasurer, violated 2 U.S.C. §§ 441b(a) and 434(b).

Find reason to believe that Roy Dahlson violated 2 U.S.C. § 441b(a), and find reason to believe that Jack Mayesh Wholesale Florist, Inc. violated 2 U.S.C. § 441b(a).

Approve the Subpoena to Produce Documents and Order to Submit Written Answers to Jack Mayesh Wholesale Florist, Inc.

Approve the Subpoena to Produce Documents to Roy Dahlson.

Approve the Factual and Legal Analyses that were attached to the General Counsel's Report dated February 8, 1991.

Approve the appropriate letters.

95043663515

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Dahlson for Congress and Alfred L.) MUR 3228
Nilsson, as treasurer;) (Formerly RAD Referral
Roy Dahlson;) #90L-57)
Jack Mayesh Wholesale Florist, Inc.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 25, 1994, the Commission decided by a vote of 5-1 to take the following actions in MUR 3228:

1. Open a MUR.
2. Find reason to believe that Dahlson for Congress and Alfred L. Nilsson, as treasurer, violated 2 U.S.C. §§ 441b(a) and 434(b).
3. Find reason to believe that Roy Dahlson violated 2 U.S.C. § 441b(a), and find reason to believe that Jack Mayesh Wholesale Florist, Inc. violated 2 U.S.C. § 441b(a).
4. Approve the Subpoena to Produce Documents and Order to Submit Written Answers to Jack Mayesh Wholesale Florist, Inc., as recommended in the General Counsel's Memorandum dated January 13, 1994.

(continued)

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5. Approve the Subpoena to Produce Documents to Roy Dahlson, as recommended in the General Counsel's Memorandum dated January 13, 1994.
6. Approve the Factual and Legal Analyses that were attached to the General Counsel's Report dated February 8, 1991.
7. Approve the appropriate letters, as recommended in the General Counsel's Memorandum dated January 13, 1994.

Commissioners Aikens, McDonald, McGarry, Potter, and Thomas voted affirmatively for the decision; Commissioner Elliott dissented.

Attest:

1-26-94
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Thurs., January 13, 1994 11:29 a.m.
Circulated to the Commission: Thurs., January 13, 1994 4:00 p.m.
Deadline for vote: Wed., January 19, 1994 4:00 p.m.
Insufficient votes at deadline.

dh

95043663517



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

, FEBRUARY 3, 1994

Norman A. Lewin, Esq.
One Park Plaza
3250 Wilshire Boulevard
Suite 1750
Los Angeles, CA 90010

RE: MUR 3228
Alfred L. Nilsson

Dear Mr. Lewin:

On February 26, 1991, the Federal Election Commission found that there is reason to believe your client, Alfred L. Nilsson, as treasurer of Dahlson for Congress, violated 2 U.S.C. §§ 441b(a) and 434(b). The Commission also issued a subpoena in this matter.

As you may be aware, on October 22, 1993, the D.C. Circuit declared the Commission unconstitutional on separation of powers grounds due to the presence of the Clerk of the House of Representatives and the Secretary of the Senate or their designees as members of the Commission. FEC v. NRA Political Victory Fund, 6 F.3d 821 (D.C. Cir. 1993), petition for cert. filed, (U.S. No. 93-1151, Jan. 18, 1994). Since the decision was handed down, the Commission has taken several actions to comply with the court's decision. While the Commission petitions the Supreme Court for a writ of certiorari, the Commission, consistent with that opinion, has remedied any possible constitutional defect identified by the Court of Appeals by reconstituting itself as a six member body without the Clerk of the House and the Secretary of the Senate or their designees. In addition, the Commission has adopted specific procedures for revoting or ratifying decisions pertaining to open enforcement matters.

In this matter, on January 25, 1994, the Commission revoted to find reason to believe that your client violated 2 U.S.C. §§ 441b(a) and 434(b), and to approve the Factual and Legal Analysis previously mailed to your client. Please refer to the document for the basis of the Commission's decision. If you need an additional copy, one will be provided upon request.

You may rely on your prior submissions, or you may submit any additional factual and legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where

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MUR 3228

Norman A. Lewin, Esq.

Page 2

appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you have any questions, please contact Jose M. Rodriguez, the attorney assigned to this matter, at (202) 219-3690.

For the Commission,



Trevor Potter
Chairman

95043663512



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

FEBRUARY 3, 1994

Roderick D. Fong, Esq.
O'Rourke, Stafford, Allan & Fong
104 North Belmont, Third Floor
P.O. Box 10220
Glendale, CA 91209-3220

RE: MUR 3228
Roy Dahlson
Dahlson for Congress
Jack Mayesh Wholesale
Florist, Inc.

Dear Mr. Fong:

On February 26, 1991, the Federal Election Commission found that there is reason to believe your client, Dahlson for Congress, violated 2 U.S.C. §§ 441b(a) and 434(b). On the same date the Commission also found that there is reason to believe your clients, Roy Dahlson and Jack Mayesh Wholesale Florist, Inc., violated 2 U.S.C. § 441b(a). The Commission also issued subpoenas and orders in this matter.

As you may be aware, on October 22, 1993, the D.C. Circuit declared the Commission unconstitutional on separation of powers grounds due to the presence of the Clerk of the House of Representatives and the Secretary of the Senate or their designees as members of the Commission. FEC v. NRA Political Victory Fund, 6 F.3d 821 (D.C. Cir. 1993), petition for cert. filed, (U.S. No. 93-1151, Jan. 18, 1994). Since the decision was handed down, the Commission has taken several actions to comply with the court's decision. While the Commission petitions the Supreme Court for a writ of certiorari, the Commission, consistent with that opinion, has remedied any possible constitutional defect identified by the Court of Appeals by reconstituting itself as a six member body without the Clerk of the House and the Secretary of the Senate or their designees. In addition, the Commission has adopted specific procedures for revoting or ratifying decisions pertaining to open enforcement matters.

In this matter, on January 25, 1994, the Commission revoted to find reason to believe that your clients violated the above listed provisions of the Act, and to approve the factual and legal analysis previously mailed to your clients. Please refer to that document for the basis of the Commission's decisions. If you need an additional copy, one will be provided upon

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MUR 3228

Roderick D. Fong, Esq.

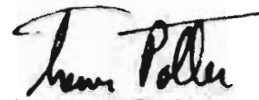
Page 2

request. In addition, the Commission authorized the enclosed subpoenas and order to your clients, Roy Dahlson and Jack Mayesh Wholesale Florist, Inc.

All responses to the enclosed subpoenas and order must be submitted to the General Counsel's Office within 30 days of your receipt of these subpoenas and order. Documents and responses previously submitted do not have to be resubmitted. Consequently, only the outstanding tax returns for Mr. Dahlson and bank statements for the corporation's general retirement account (initially held at Sumitomo Bank and later transferred to Bank of America) for the period to November 30, 1990 need be presently produced. Any additional factual and legal materials or statements you wish to submit should accompany the responses to the subpoenas and order.

If you have any questions, please contact Jose M. Rodriguez, the attorney assigned to this matter, at (202) 219-3690.

For the Commission,


Trevor Potter
Chairman

Enclosures
Order and Subpoenas

95043663521

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from April 1 to November 30, 1990.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

95043663522

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to an individual shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such individual, the nature of the connection or association that individual has to any party in this proceeding.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and request for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

95043663523

QUESTIONS AND REQUESTS FOR DOCUMENTS

1. List all checking accounts held by Jack Mayesh Wholesale Florist, Inc. Produce all bank statements and check registers for each account listed, not previously produced.
2. Identify all individuals with signature authority on all checking accounts listed in response to question one.
3. List and explain all salary and/or other compensation agreements between Jack Mayesh Wholesale Florist, Inc. and Roy Dahlson, including but not limited to the amount of compensation, the method of compensation, and the compensation schedule. Produce all documents concerning, relating, or in any way pertaining to the listed agreements.
4. List and explain all loans made by Jack Mayesh Wholesale Florist, Inc. to Roy Dahlson, including but not limited to the date, amount, and purpose of the listed loans. Produce all documents concerning, relating, or in any way pertaining to the listed loans.
5. Produce all minutes of the Jack Mayesh Wholesale Florist, Inc., board of directors meeting where the loans listed in response to question four were voted on or otherwise discussed.
6. Identify all past and present members of the board of directors and/or officers of Jack Mayesh Wholesale Florist, Inc., including the time served in the positions, for the period from the corporation's inception to the present.
7. Identify all individuals having an ownership interest in Jack Mayesh Wholesale Florist, Inc. from the corporation's inception to the present, including the extent of the ownership interest and the period during which the interest was held.

95043663524

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
)
) MUR 3228
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Jack Mayesh Wholesale Florist, Inc.
c/o Roderick D. Fong, Esq.
O'Rourke, Stafford, Allan & Fong
104 North Belmont
Third Floor
Glendale, CA 91206

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 30 days of receipt of this Order and Subpoena.

95043663525

MUR 3228

Jack Mayesh Wholesale Florist, Inc.

Subpoena and Order

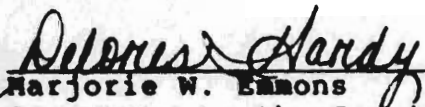
Page 2

WHEREFORE, the Chairman of the Federal Election Commission
has hereunto set his hand in Washington, D.C. on this 3rd, day
of February, 1997.

For the Commission,


Trevor Potter
Chairman

ATTEST:

for 
Marjorie W. Emons
Secretary to the Commission

Attachments

Questions and Document Requests (3 pages)

95043663526

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from April 1 to November 30, 1990.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

95043663527

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and request for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

25043663528

REQUESTS FOR DOCUMENTS

1. Produce all bank statements and check registers for each checking and/or savings account held by you, not previously produced.
2. Produce all documents concerning, relating, or in any way pertaining to all salary and/or other compensation agreements between Jack Mayesh Wholesale Florist, Inc. and you.
3. Produce all documents concerning, relating, or in any way pertaining to all loans made by Jack Mayesh Wholesale Florist, Inc. to you.

95043663529

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
)
) MUR 3228
)

SUBPOENA TO PRODUCE DOCUMENTS

TO: Roy Dahlson
c/o Roderick D. Fong, Esq.
O'Rourke, Stafford, Allan & Fong
104 North Belmont
Third Floor
Glendale, CA 91206

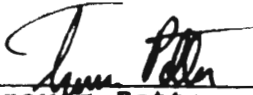
Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby subpoenas the documents listed on the attachment to this subpoena.

Notice is given that these documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 30 days of your receipt of this subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

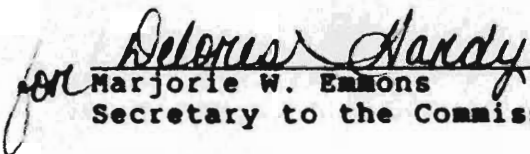
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WHEREFORE, the Chairman of the Federal Election Commission
has hereunto set his hand in Washington, D.C. on this 3rd day
of February, 19 94.

For the Commission,


Trevor Potter
Chairman

ATTEST:


for Marjorie W. Emmons
Secretary to the Commission

Attachment
Document Request (3 pages)

9504366331

LAW OFFICES OF
NORMAN A. LEWIN

ONE PARK PLAZA
3250 WILSHIRE BOULEVARD
SUITE 1750
LOS ANGELES, CALIFORNIA 90010
TELEPHONE (213) 385-3072 FACSIMILE (213) 386-8712

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COMMISSION
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February 8, 1994

Jose M. Rodriguez, Esq.
Federal Election Commission
999 East Street, N.W.
Washington, D.C. 20463

Re: MUR 3228
Our Client: Alfred L. Nilsson, Treasurer
Dahlson for Congress

Dear Mr. Rodriguez:

Please be informed that this letter is written in response to correspondence dated February 3, 1994 from Trevor Potter, Chairman of the FEC. Based upon the correspondence received it appears that we remain at the investigative stage of these proceedings, and that the General Counsel has not, as yet, completed the investigation for purposes of making a recommendation to the Commission.

As you are aware, our client Mr. Nilsson acted in one capacity and one capacity only, as Treasurer of Dahlson for Congress. In this capacity, our client made an error in accepting monies from a corporate entity in excess of that allowed. Our client did however properly report this contribution as required, and immediately subsequent to being informed of the error, remedied his inadvertant mistake by following the precise instructions of the Federal Elections Commission. In fact, he immediately returned the contribution to the corporate entity and provided notice of same to the FEC.

Subsequently, a contribution was made via a personal check from Mr. Dahlson to the campaign, which our client accepted in his capacity as treasurer. This contribution appears to be at a minimum a proper contribution on its face, and not violative of any applicable law(s). The fact that the Commission may believe that the funding may actually have come from a corporate entity, not the individual entity set forth on the personal check, supports the position taken herein. We find no legal support for the conclusion that our client has an obligation to conduct his own investigation as to the source of funding for a contribution to the campaign.

Our client has and continues to attempt to comply with all applicable laws in his capacity as treasurer.

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RECEIVED
FEDERAL ELECTION COMMISSION

95043663532

Jose Rodriguez, Esq.
February 8, 1994
Page 2

Our client has provided all information requested of him and has properly responded to the subpoena re: documents previously issued. Again, and for your information our client has informed us that he has had no involvement with the Committee since the filing of the Final Report, and that other than this investigation, his understanding is that no activity has taken place. We believe our client has committed no wrongdoing in this matter. We enclose for your file an additional copy of our June 4, 1993 letter, wherein we set forth the same assertions.

Since the FEC and your office has known all of the foregoing for some time I would greatly appreciate your contacting the undersigned to discuss the basis of the alleged wrongful conduct on the part of our client.

Should you require any further information please call me immediately.

Very truly yours,

LAW OFFICES OF NORMAN A. LEWIN



NORMAN A. LEWIN

NAL/msb

cc: Alfred Nillson

Encl.:

95043663533

LAW OFFICES OF
NORMAN A. LEWIN

ONE PARK PLAZA
3250 WILSHIRE BOULEVARD
SUITE 1750
LOS ANGELES, CALIFORNIA 90010

TELEPHONE (213) 385-3072 FACSIMILE (213) 386-8712

June 4, 1993

Jose M. Rodriguez, Esq.
Federal Election Commission
999 East Street, N.W.
Washington, D.C. 20463

Re: MUR 3228
Our Client: Alfred L. Nilsson, Treasurer
Dahlson for Congress

Dear Mr. Rodriguez:

Please be informed that the Law Offices of Norman A. Lewin has been retained to represent Alfred L. Nilsson with respect to allegations of violations of 2 U.S.C. Section 441b(a) and 434(b) pertaining to his role as treasurer of the campaign of Roy Dahlson for Congress.

At this time, we are reviewing the Factual and Legal Analysis of the Federal Election Commission, as well as the proposed Conciliation Agreement previously provided by your office to our client.

It is our understanding that at a point during the campaign of Mr. Dahlson that a loan/contribution was made from Jack Mayesh Wholesale Florist, Inc. to the campaign of Mr. Dahlson for Congress. That subsequently thereto, and following a proper report of this loan/contribution by our client Mr. Nilsson, and in conformity with the reporting requirements, Mr. Nilsson was informed that the Election Commission found that such loan/contribution to be improper. At that time, our client was required to return the loan/contributions to the corporate entity, Jack Mayesh Wholesale Florist, Inc., which, in fact, was done exactly as demanded.

It is our further understanding that following the above-referenced scenario a contribution by Mr. Dahlson, personally, was made to the campaign of Dahlson for Congress, which contribution was accepted and reported by our client. Based upon the foregoing, we are somewhat confused as to any alleged improprieties on the part of our client. As soon as our client was apprised of an asserted impropriety concerning the loan contribution from the corporate entity, he immediately remedied this situation following the instructions of your office. His subsequent acceptance and reporting of personal funds from an individual appears to be in conformance with the requirements of the Federal Election Commission.

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Jose M. Rodriguez, E
June 4, 1993
Page 2

If you would, please call me or respond to this letter in writing, so that we can discuss this matter in greater detail. We, of course, desire to cooperate with your investigation, and further desire to demonstrate our client's good faith and proper conduct throughout this matter.

Very truly yours,

LAW OFFICES OF NORMAN A. LEWIN



NORMAN A. LEWIN

NAL/msb

cc: Mr. Alfred L. Nilsson

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OAC 549

O'ROURKE, STAFFORD, ALLAN & FONG

DENIS M. O'ROURKE
MICHAEL N. STAFFORD
JOAN H. ALLAN
RODERICK D. FONG
JAMES E. BERTZ

ATTORNEYS AT LAW
104 NORTH BELMONT
THIRD FLOOR
GLENDALE, CALIFORNIA 91206

MAILING ADDRESS:
P.O. BOX 10220
GLENDALE, CA 91209-3220

FAX (818) 247-1451

(818) 247-4303

March 4, 1994

Jose M. Rodriguez, Esq.
Federal Election Commission
999 East Street, N.W.
Washington, D.C. 20463

Re: Roy Dahlson, Dahlson for Congress,
Jack Mayesh Wholesale Florists, Inc.

Dear Mr. Rodriguez:

Enclosed are responses of Respondents Roy Dahlson and Jack Mayesh Wholesale Florists, Inc. Please note that the original Verifications will be forwarded under separate cover upon receipt from our client.

Very truly yours,

O'ROURKE, STAFFORD, ALLAN & FONG


ROBERT M. INDESS

RGM:rc
Enclosures

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1 RODERICK D. FONG, State Bar No. 140028
2 O'ROURKE, STAFFORD, ALLAN & FONG
3 104 North Belmont, Third Floor
4 P. O. Box 10220
5 Glendale, CA 91209-3220
6 Telephone: (818) 247-4303

7 Attorneys for Respondents,
8 ROY DAHLSON, DAHLSON FOR CONGRESS, and JACK MAYESH WHOLESALE
9 FLORIST, INC., a California corporation

10 **BEFORE THE FEDERAL ELECTION COMMISSION**

11 IN THE MATTER OF) CASE NO.: MUR 3228
12)
13 ROY DAHLSON,) RESPONSES OF RESPONDENT
14 DAHLSON FOR CONGRESS,) JACK MAYESH WHOLESALE
15 JACK MAYESH WHOLESALE) FLORISTS, INC. TO THE
16 FLORISTS, INC.,) SUBPOENA TO PRODUCE
17 Respondents.) DOCUMENTS AND ORDER TO
18) SUBMIT WRITTEN ANSWERS
19) TO THE FEDERAL ELECTION
20 COMMISSION

21 PROPOUNDING PARTY: FEDERAL ELECTION COMMISSION

22 RESPONDING PARTY: JACK MAYESH WHOLESALE FLORISTS, INC.

23 COMES NOW Respondent, JACK MAYESH WHOLESALE FLORISTS, INC.,
24 for itself, and for nobody else, and responds to the FEDERAL
25 ELECTION COMMISSION's Subpoena To Produce Documents and Order To
26 Submit Written Answers as follows:

27 **INTRODUCTORY COMMENTS**

28 This responding party has not completed discovery, and
anticipates that further information relevant to this Subpoena
and Order may be obtained in the future.

Each of the following responses is rendered and based upon
information in the possession of this responding party at the

1 time of the preparation of these responses. This responding
2 party's discovery will continue as long as permitted by statute
3 or stipulation of the parties, and investigation by this
4 responding party and by its attorneys and agents, will continue
5 to and throughout the resolution of this action. Therefore,
6 responding party specifically reserves the right to introduce any
7 evidence from any source which may hereinafter be discovered, and
8 to introduce any testimony from any witness whose identity may
9 hereinafter be discovered.

10 If any information has been unintentionally omitted from
11 these responses, the subpoenaed and ordered party reserves the
12 right to apply for relief so as to permit the insertion of the
13 omitted data from these responses. These introductory comments
14 shall apply to each and every response given herein, and shall be
15 incorporated by reference as though fully set forth in the
16 responses hereinafter stated.

17 **GENERAL OBJECTIONS**

18 1. These responses are made for the purpose of this matter
19 and this matter only. Each response is subject to all objections
20 as to competence, relevance, materiality, propriety and
21 admissibility and to any and all other objections on any other
22 ground that would require the exclusion of any statement
23 contained in any response, if any, all of which objections and
24 grounds are hereby reserved and may be interposed at the time of
25 hearing or other proceeding on this matter.

26 2. The following responses are based upon information
27 presently available to this responding party and except for
28 explicit facts expressly admitted herein, if any, no incidental

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1 or implied admission are intended hereby. The fact that this
2 responding party has answered or objected to any subpoenaed or
3 ordered items or any part thereof should not be taken as an
4 admission that this responding party accepts or admits the
5 existence of any facts set forth or assumed by such request, or
6 that such answer or objection constitutes admissible evidence.
7 The fact that this responding party has responded to part or all
8 of any such subpoena or order is not intended and shall not be
9 construed as a waiver by this responding party of all or any part
10 of any objection to any such demand.

11 3. To the extent that any or all of the requests for
12 production of documents or order to submit written answers calls
13 for information which constitutes information prepared in
14 anticipation of litigation or for trial or which is otherwise
15 covered by the attorney/work product doctrine, or is protected
16 from disclosure by the attorney/client privilege or any other
17 privilege, this responding party will not supply or render any
18 information or material protected from discovery by virtue of
19 such doctrine or privilege.

20 4. This responding party objects generally to propounding
21 party's Subpoena to Produce Documents and Order To Submit Written
22 Answers on the grounds that they, and each of them, are
23 burdensome and oppressive. This responding party further objects
24 generally to propounding party's Subpoena and Order on the
25 grounds that the information sought is not relevant to the
26 subject matter of this matter and is not reasonably calculated to
27 lead to the discovery of admissible evidence. This responding
28 party further objects to said subpoena and order to the extent

9 5 0 4 3 6 6 3 5 4 0

1 that said requests seek information which is privileged from
2 discovery. This responding party further objects to said
3 subpoena and order to submit written answers because the requests
4 for production are vague, ambiguous, and unintelligible.

5 5. The foregoing objections are incorporated into each and
6 every response hereinafter set forth, to each and every
7 particular response as though fully set forth therein, and
8 without waiving any of the foregoing objections, this responding
9 party responds to the Subpoena To Produce Documents and Order To
10 Submit Written Answers, as follows:

11 RESPONSE TO DEMAND NO. 1:

12 Checking Accounts

13 Payroll Account, Sumitomo Bank

14 General Account, Bank of America

15 Retirement Account, Bank of America

16 Tutti Verde Account, Bank of America

17 Attached hereto are bank statements which are responsive to
18 this demand.

19 RESPONSE TO DEMAND NO. 2:

20 Individuals with Signature Authority on Checking Accounts

21 (1) Emil Roy Dahlson, Jr.; (2) Geraldine Eileen Dahlson; (3) Emil
22 Roy Dahlson, III; (4) Cynthia Susan McJunkins, and (5) Patrick
23 Martin Dahlson.

24 RESPONSE TO DEMAND NO. 3:

25 There are no documents or other written memoranda which are
26 responsive to this request within the possession and control of
27 this responding party. Jack Mayesh Wholesale Florists, Inc. is a
28 family-owned business and salary is based upon the needs of each

1 family member. It is understood between and among the Dahlson
2 family that if any one needs a raise to meet expenses, it will be
3 granted as long as such a raise does not harm the company, is
4 justified, and is agreed to by the family members,
5 (shareholders). In the case of Roy Dahlson, he was eligible for
6 raises based upon merit, but from 1986 through July of 1993,
7 raises were not taken.

8 RESPONSE TO DEMAND NO. 4:

9 There were loans made by Jack Mayesh Wholesale Florists,
10 Inc. to Roy Dahlson which were of a personal nature and over the
11 years totalled approximately \$40,000.00. Jack Mayesh Wholesale
12 Florists, Inc. is a family-owned business and personal loans are
13 available based upon the needs of each family member. It is
14 understood between and among the Dahlson family that if any one
15 needs a loan to meet an expectancy, it will be granted as long as
16 such a raise does not harm the company, is justified, and is
17 agreed to by the family members, (shareholders).

18 RESPONSE TO DEMAND NO. 5:

19 All documents within the possession and control of this
20 responding party have been produced for the Federal Election
21 Commission.

22 RESPONSE TO DEMAND NO. 6:

23 Members of the Board of Directors
24 Emil Roy Dahlson, Jr.
25 Geraldine Eileen Dahlson
26 Emil Roy Dahlson, III
27 Cynthia Susan McJunkins
28 Patrick Martin Dahlson

1 RESPONSE TO DEMAND NO. 7:


2 Ownership interest in Jack Mayesh Wholesale Florists, Inc.

3	Emil Roy Dahlson, Jr.	700 shares
	Geraldine Eileen Dahlson	800 shares
4	Emil Roy Dahlson, III	100 shares
	Cynthia Susan McJunkins	100 shares
5	Patrick Martin Dahlson	100 shares
	Anthony Michael Dahlson	100 shares
6	Christian Phillip Dahlson	100 shares
	Richard Alan Dahlson	100 shares
7	Pamela Marie Dahlson	100 shares
	Ted Russell Dahlson	100 shares
8	Stephan Jeffrey Dahlson	100 shares
	David Michael Dahlson	100 shares

9
10 DATED: March 4, 1994

O'ROURKE, STAFFORD, ALLAN & FONG

11
12
13 By:


14 RODERICK D. FONG, Attorneys
15 for Respondent, JACK MAYESH
16 WHOLESALE FLORISTS, INC.
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Ruth R. Cox
RUTH R. COX



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

February 13, 1995

Roderick D. Fong, Esq.
O'Rourke, Stafford, Allan & Fong
104 North Belmont, Third Floor
P.O. Box 10220
Glendale, CA 91209-3220

RE: MUR 3228
Roy Dahlson
Dahlson for Congress
Jack Mayesh Wholesale
Florist, Inc.

Dear Mr. Fong:

As discussed during our conversation on February 13, 1995, we have reviewed your client's, Jack Mayesh Wholesale Florist, Inc.'s, responses of August 31, 1993, September 27, 1993, and March 4, 1994 to the Commission's Subpoena and Order and have found them to be incomplete or to require clarification. Specifically, the responses to questions 1, 4, and 5 require additional information.

With respect to question 1, in the August 31 submission your client listed four separate corporate accounts -- one at Sumitomo bank and three at Bank of America

Because this response did not list two Sumitomo accounts which we believed belonged to the corporation, we sought clarification on the issue. On September 27, 1993, you clarified that the two referenced Sumitomo accounts were in fact the corporation's general and retirement accounts and that these accounts had been transferred to Bank of America sometime in August or September of 1990. On February 3, 1994, this Office informed you of the Commission's re-issuance of the Subpoena and Order and at that time requested production of bank statements for the corporation's general and retirement accounts. On March 4, 1994, your client produced bank statements for several accounts responsive to question 1 of the

1. We note that the account number for the first of the three listed accounts contains 10 digits, while the other two account numbers contain only 9 digits. Please clarify this discrepancy.

95043663544

subpoena, including the two Sumitomo accounts referenced in the September 27 response. However, missing from this submission were bank statements for the two Bank of America general and retirement accounts listed in the August 31 response. Accordingly, pursuant to the outstanding Subpoena and Order, please now produce all bank statements and check registers for the corporation's Bank of America accounts


We now also request that your client produce check registers and bank statements for the remaining two accounts listed in the August 31 response. These are the corporation's Sumitomo payroll account and the corporation's Bank of America Tutti Verde account. Please, clearly identify by account number those Sumitomo accounts transferred to Bank of America and the corresponding Bank of America account.

With respect to question 4, in the August 31, 1993 and March 31, 1994 responses your client notes only that loans were made by the corporation to Mr. Dahlson "which were of a personal nature and over the years [totaled] approximately \$40,000." Please now state the date of each loan, the individual amount of each loan, and the purpose for each loan.

With respect to question 5, please identify by date each board of directors meeting where each of the above loans from the corporation to Mr. Dahlson was discussed and/or approved. Moreover, as concerns Mr. Dahlson's salary increase discussed and approved at the July 26, 1990 meeting of the corporation's board of directors, please state the amount of the salary increase, the effective date of the increase, the payment terms for the increase, and if the increase was retroactive. If there are any other documents not previously produced concerning, relating, or in any way pertain to this salary increase, please produce the same.

Consistent with the Subpoena and Order, these requests are for the period from April 1 to November 30, 1990. Responses to these requests are due within 30 days of receipt. Should you have any questions, contact me at (202) 219-3690.

Sincerely,


Jose M. Rodriguez
Attorney

95043663545



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 14, 1995

Stanley R. Kersten
734 S. San Julian St.
Los Angeles, CA 90014

RE: MUR 3228

Dear Mr. Kersten:

As discussed during our conversation on February 13, 1995, upon further investigation, it appears that additional information is necessary regarding your September 30, 1993, response to the Federal Election Commission's Subpoena and Order. Specifically, in your response you mention a Mr. Eric Wagner. Please now identify this individual, including his full name, current address and current phone number.

Also, enclosed with your response were several account statements from Jack Mayesh Wholesale Florist, Inc. for the months April to July 1990. Please provide additional account statements for the months August to November 1990. Additionally, please provide a copy of the check (front and back) for your October 12, 1990, \$25,000 payment to Roy Dahlson.

We would appreciate responses to the above requests within ten (10) days of receipt of this letter. Last, we will need to speak with you before concluding this investigation. We anticipate conducting any such meeting during the first week in March 1995. Please contact me at (800) 424-9530 upon receipt so that we can schedule a mutually convenient time to meet.

Sincerely,

Jose M. Rodriguez
Attorney

95043663546



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 8, 1995

Stanley R. Kersten
734 S. San Julian St.
Los Angeles, CA 90014

RE: MUR 3228

Dear Mr. Kersten:


Thank you for taking the time to meet with us last Thursday. As discussed at our meeting, please provide the following to this Office:

- copies of all bank statements for your business -- Stanley R. Kersten Flowers and Services -- for the year 1990, including any other documentation concerning the receipt and deposit of the \$25,000 loan from Roy Dahlson;

- copies of all account statements concerning the outstanding debt to Jack Mayesh Wholesale Florist, from August through November 1990.

Please provide the above by Wednesday, March 15, 1995. If you have any questions, please call me at (800) 424-9530.

Sincerely


Jose M. Rodriguez
Attorney

95043663541



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

March 8, 1995

Norman A. Lewin, Esq.
One Park Plaza
3250 Wilshire Boulevard
Suite 1750
Los Angeles, CA 90010

RE: MUR 3228
Alfred L. Nilsson

Dear Mr. Lewin:

This letter confirms this Office's conversation with your client of Thursday, March 2, 1995 where your client agreed to provide the current address and phone number for Dahlson for Congress' former campaign manager, Dan Carasso, and the address of the storefront occupied by the campaign as its headquarters, including the dates that the campaign occupied the storefront.

Please provide the requested information by Wednesday, March 15, 1995. Should you have any questions, contact me at (202) 219-3690.

Sincerely,


Jose M. Rodriguez
Attorney

95043663548

LAW OFFICES OF
NORMAN A. LEWIN

ONE PARK PLAZA
3250 WILSHIRE BOULEVARD
SUITE 1750
LOS ANGELES, CALIFORNIA 90010

TELEPHONE (213) 385-3072 FACSIMILE (213) 386-8712

Mar 16 11 30 AM '95

March 13, 1995

Jose M. Rodriguez, Esq.
Federal Election Commission
999 East Street, N.W.
Washington, D.C. 20463

Re: MUR 3228

Our Client: Alfred L. Nilsson, Treasurer
Dahlson for Congress

Dear Mr. Rodriguez:

It was a pleasure meeting with you concerning this matter last week.

Per your request, our client has obtained certain information on your behalf. First, Dan Carasso's address and phone number is as follows: 7856 Ranchito Avenue, Van Nuys, California 91402

Second, the storefront occupied as a headquarters for the above campaign was at 13549 Roscoe Boulevard, in what our client believes to have been the City of Van Nuys, CA.

Our client, still does not have a specific recollection as to the time period in which the storefront was occupied, other than what he has already provided at our most recent meeting. Again, he believes that occupancy was for a very short period, approximately 4-6 weeks.

We are hopeful that the foregoing information along with the information provided at our meeting has convinced you and the Commission that our client has done no wrongdoing, and that hopefully our client can now put this matter behind him.

Should you require any further information please call me immediately.

Very truly yours,

LAW OFFICES OF NORMAN A. LEWIN

NORMAN A. LEWIN
NAL/msb
cc: Alfred Nilsson

95043663549



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

March 23, 1995

Roderick D. Fong, Esq.
O'Rourke, Stafford, Allan & Fong
104 North Belmont, Third Floor
P.O. Box 10220
Glendale, CA 91209-3220


RE: MUR 3228
Roy Dahlson
Dahlson for Congress
Jack Mayesh Wholesale
Florist, Inc.

Dear Mr. Fong:

By letter dated February 13, 1995, this Office requested answers to certain specific questions, and the production of certain documents, responsive to the Commission's Subpoena and Order. This production was due within thirty days of receipt of the request. The thirty day response period has elapsed without a forthcoming response from your clients. Accordingly, we now ask that your clients respond to the February 13 request immediately upon receipt of this letter.

Should this present a problem or should you have any questions, please contact me at (202) 219-3690.

Sincerely,


Jose M. Rodriguez
Attorney

95043663550

S
R
K

STANLEY R. KERSTEN
FLOWERS & SERVICE

734 S. San Julian St. • Los Angeles, California 90014 • (213) 622-3415

FEDERAL ELECTION COMMISSION

March 23, 1995

999 E ST., N.W., Rm. 657
WASHINGTON, D.C. 20463

ATTN: MR. JOSE M. RODRIGUEZ
ATTORNEY

mur 3228

MAR 23 11 19 AM '95

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE

Dear Mr. Rodriguez,

Enclosed herewith we are sending you the following:

1. Bank Statements from Stanley R. Kersten, Flowers & Service for the whole year of 1990
2. Copy of Stanley's check 5242 dated 10/12/90 for 25,000.00 - paid to the order of Roy Dahlson
3. Jack Mayesh Statements of February 28, 1990 and March 31, 1990

We are still looking for Statements of January, August, September, October, November, and December, 1990.

We sent you in September 30, 1990 (attached to our letter to you) :

Jack Mayesh's statements for: April 30, 1990
May 31, 1990
June 30, 1990
July 31, 1990

We hope the above mentioned papers will be of some help to you.

Sincere yours,


Stanley R. Kersten

Encls: as stated above.

SRK/lt

95043663551

9504366357 Roy Dallon

0621 50131

122000247
122000247
122000247

07 15 90

122000247

122000247

07 15 90

STANLEY R. KERSTEN
FLOWERS & SERVICE
734 S. SAN JULIAN ST.
LOS ANGELES, CA 90014

of the
gives

CDL 2101997 7 92
UTSN

015

5242

15-24
1220(7)

Pay to the
Order of

Roy Dallon

Twenty five thousand and no/100

EIGHTH & HILL OFFICE
WELLS FARGO BANK
801 S. HILL ST. LOS ANGELES, CA 90014

\$ 25,000.00
Dollars

12 Oct 19 90
Stanley R. Kersten

Jack Mayesh West Florida Inc
P.O. Box 1108
Arleta, CA 91331
(818) 780-1847

STATEMENT Page 1

REMITTANCE STUB

PLEASE RETURN THIS PORTION
WITH PAYMENT FOR PROPER CREDIT

AMOUNT PAID \$

ACCOUNT OF:

STANLEY KERSTEN
734 S. SAN JULIAN ST.
LOS ANGELES, CA 90014

PLEASE PERMIT TO

Jack Mayesh West Florida Inc
P.O. Box 1108
Arleta, CA 91331

ACCOUNT NO			STATEMENT DATE		
ST KER			02/28/90		
DATE	REFERENCE	CO	CHARGES	CREDITS	BALANCE
	BALANCE FWD				10,094.65
1/1	171182	S	75.00		10,169.65
1/1	186675	S	60.00		10,229.65
1/2	171043	S	12.50		10,342.15
1/2	171290	S	405.50		10,747.65
1/2	186676	S	110.00		10,857.65
1/2	186677	S	18.00		10,875.65
1/3	171332	S	69.00		10,944.65
1/3	186678	S	107.00		11,051.65
1/5	171052	S	493.00		11,544.65
1/5	3235	P		2,683.25	8,861.40
1/6	171437	S	30.00		8,891.40
1/6	186726	S	50.00		8,941.40
1/9	171472	S	127.50		9,068.90
1/9	186731	S	35.00		9,103.90
1/9	186733	S	70.00		9,173.90
1/10	171525	S	71.00		9,244.90
1/10	186747	S	150.00		9,394.90
CURRENT			31-60 DAYS	61-90 DAYS	OVER 90 DAYS
					PAY LAST AMOUNT IN THIS COLUMN

ACCOUNT NO			STATEMENT DATE		
ST KER			02/28/90		
REFERENCE	CO	BALANCE			
BALANCE FWD		10,094.65			
171182	S	10,169.65			
186675	S	10,229.65			
171043	S	10,342.15			
171290	S	10,747.65			
186676	S	10,857.65			
186677	S	10,875.65			
171332	S	10,944.65			
186678	S	11,051.65			
171052	S	11,544.65			
3235	P	8,861.40			
171437	S	8,891.40			
186726	S	8,941.40			
171472	S	9,068.90			
186731	S	9,103.90			
186733	S	9,173.90			
171525	S	9,244.90			
186747	S	9,394.90			
			PAY LAST AMOUNT IN THIS COLUMN		

Jack Mayosh Wheel Floats Inc
P.O. Box 1108
Anaheim, CA 91331
(818) 780-1847

STATEMENT Page 1

REMITTANCE STUB

PLEASE RETURN THIS PORTION
WITH PAYMENT FOR PROPER CREDIT

AMOUNT PAID \$

ACCOUNT OF

STANLEY KERSTEN
234 S. SAN JULIAN ST.
LOS ANGELES, CA 90014

PLEASE REMIT TO

Jack Mayosh Wheel Floats Inc
P.O. Box 1108
Anaheim, CA 91331

COUNT NO

STATEMENT DATE

ST KER

02/28/90

DATE	REFERENCE	CO	CHARGES	CREDITS	BALANCE
/12	172063	S	775 15		10,170 05
/15	172107	S	14 00		10,184 05
/13	172028	S	611 00		10,795 05
/13	172746	S	45 00		10,840 05
/14	172184	S	483 00		11,323 05
/14	185531	S	40 00		11,363 05
/15	185747	S	35 00		11,398 05
/16	172920	S	125 00		11,523 05
/18	172953	S	20 00		11,543 05
/18	172938	S	41 50		11,584 55
/19	173211	S	198 00		11,782 55
/20	172873	S	15 00		11,797 55
/20	185545	S	25 00		11,822 55
/20	3322	P		2,011 50	9,811 05
/22	173035	S	24 50		9,835 55
/22	173053	S	553 50		10,389 05
/22	173244	S	101 00		10,490 05
/23	173435	S	507 50		10,997 55
/26	173554	S	21 00		10,968 55

Total Credits \$2,011 50

CURRENT 31-60 DAYS 61-90 DAYS OVER 90 DAYS

PAY LAST
AMOUNT IN
THIS COLUMN

ACCOUNT NO

STATEMENT DATE

ST KER

02/28/90

REFERENCE	CO	BALANCE
172063	S	10,170 05
172107	S	10,184 05
172028	S	10,795 05
172746	S	10,840 05
172184	S	11,323 05
185531	S	11,363 05
185747	S	11,398 05
172920	S	11,523 05
172953	S	11,543 05
172938	S	11,584 55
173211	S	11,782 55
172873	S	11,797 55
185545	S	11,822 55
3322	P	9,811 05
173035	S	9,835 55
173053	S	10,389 05
173244	S	10,490 05
173435	S	10,997 55
173554	S	10,968 55

Total Due \$10,968 55

PAY LAST AMOUNT
IN THIS COLUMN

STATEMENT Page 1

Jack Mayesh Whol Floris Inc
P O Box 1108
Arleta, CA 91331
(818) 780-1847

REMITTANCE STUB

PLEASE RETURN THIS PORTION
WITH PAYMENT FOR PROPER CREDIT

AMOUNT PAID \$

ACCOUNT OF

STANLEY KERSTEN
734 S SAN JULIAN ST
LOS ANGELES, CA 90014

PLEASE REMIT TO:

Jack Mayesh Whol Floris Inc
P O Box 1108
Arleta, CA 91331

COUNT NO.

STATEMENT DATE

ST KER

03/31/90

ATE	REFERENCE	CO	CHARGES	CREDITS	BALANCE
	BA LANCE FWD				10,908.55
1/10	173771	5	39.00		10,947.55
1/11	185858	5	75.00		11,022.55
1/16	174180	5	110.00		11,132.55
1/16	174188	5	348.00		11,480.55
1/16	174809	5	270.50		11,751.05
1/16	174810	5	98.00		11,849.05
1/16	186812	5	193.50		12,042.55
1/16	173785	5	21.00		12,063.55
1/16	186814	5	45.00		12,108.55
1/16	186817	5	55.00		12,173.55
1/16	174888	5	43.25		12,216.80
1/10	186818	5	90.00		12,306.80
1/10	186932	5	30.50		12,337.30
1/12	186819	5	39.00		12,376.30
1/13	174762	5	80.00		12,456.30
1/14	174735	5	92.50		12,548.80
1/14	3456			2,455.50	10,193.30

CURRENT 31-60 DAYS 61-90 DAYS OVER 90 DAYS

PAY LAST
AMOUNT IN
THIS COLUMN

ACCOUNT NO.

STATEMENT DATE

ST KER

03/31/90

REFERENCE	CO	BA LANCE
BA LANCE FWD		10,908.55
173771	5	10,947.55
185858	5	11,022.55
174180	5	11,132.55
174188	5	11,480.55
174809	5	11,751.05
174810	5	11,849.05
186812	5	12,042.55
173785	5	12,063.55
186814	5	12,108.55
186817	5	12,173.55
174888	5	12,216.80
186818	5	12,306.80
186932	5	12,337.30
186819	5	12,376.30
174762	5	12,456.30
174735	5	12,548.80
3456		10,193.30

PAY LAST AMOUNT
IN THIS COLUMN

Jack Mayesh Whsl Floris Inc
P O Box 1108
Arleta, CA 91331
(818) 780-1847

STATEMENT Page 2

REMITTANCE STUB
PLEASE RETURN THIS PORTION
WITH PAYMENT FOR PROPER CREDIT

AMOUNT PAID \$

ACCOUNT OF:

STANLEY KERSTEN
734 S SAN JULIAN ST
LOS ANGELES, CA 90014

PLEASE REMIT TO:

Jack Mayesh Whsl Floris Inc
P O Box 1108
Arleta, CA 91331

ACCOUNT NO.			STATEMENT DATE		
ST KER			03/31/90		
DATE	REFERENCE	CODE	CHARGES	CREDITS	BALANCE
3/15	174745	S	26 00		10,219.30
3/15	186938	S	45 00		10,264.30
3/15	179036	S	8 00		10,272.30
3/15	179138	S	208 00		10,480.30
3/15	179575	S	48 00		10,528.30
3/16	185799	S	91 00		10,619.30
3/16	186925	S	49 00		10,665.30
3/16	186941	S	105 00		10,770.30
3/17	179470	S	140 00		10,910.30
3/17	179519	S	55 00		10,975.30
3/19	179705	S	307 50		11,282.80
3/20	179615	S	20 00		11,302.80
3/21	179736	S	45 50		11,349.30
3/21	180176	S	49 00		11,398.30
3/22	179258	S	36 00		11,434.30
3/23	180015	S	352 00		11,786.30
3/23	180472	S	97 50		11,883.80
3/24	179647	S	115 00		11,998.80
3/25	180043	S	518 50		12,517.30
CURRENT	31- 60 DAYS	61- 90 DAYS	OVER 90 DAYS	PAY LAST AMOUNT IN THIS COLUMN	

ACCOUNT NO.		STATEMENT DATE	
ST KER		03/31/90	
REFERENCE	CODE	BALANCE	
174745	S	10,219.30	
186938	S	10,264.30	
179036	S	10,272.30	
179138	S	10,480.30	
179575	S	10,528.30	
185799	S	10,619.30	
186925	S	10,665.30	
186941	S	10,770.30	
179470	S	10,910.30	
179519	S	10,975.30	
179705	S	11,282.80	
179615	S	11,302.80	
179736	S	11,349.30	
180176	S	11,398.30	
179258	S	11,434.30	
180015	S	11,786.30	
180472	S	11,883.80	
179647	S	11,998.80	
180043	S	12,517.30	
		PAY LAST AMOUNT IN THIS COLUMN	

Jack Mayesh Whsl Floris Inc
P O Box 1108
Arleta, CA 91331
(818) 780-1847

STATEMENT Page 3

REMITTANCE STUB

PLEASE RETURN THIS PORTION
WITH PAYMENT FOR PROPER CREDIT

AMOUNT PAID \$

ACCOUNT OF:

STANLEY KERSTEN
734 S. SAN JULIAN ST
LOS ANGELES, CA 90014

PLEASE REMIT TO:

Jack Mayesh Whsl Floris Inc
P O Box 1108
Arleta, CA 91331

ACCOUNT NO.			STATEMENT DATE		
ST KER			03/31/90		
DATE	REFERENCE	#	CHARGES	CREDITS	BALANCE
1/27	180278	5	57 00		12,574 30
1/27	186969	5	22 00		12,596 30
1/28	180068	5	120 00		12,716 30
1/28	180112	5	29 50		12,745 80
1/29	180359	5	9 00		12,754 80
1/29	180321	5	247 00		13,001 80
1/29	180323	5	167 50		13,169 30
1/31	180347	5	80 00		13,249 30
Total Credits			2,455 50		
CURRENT	31-60 DAYS	61-90 DAYS	OVER 90 DAYS	PAY LAST AMOUNT IN THIS COLUMN	

ACCOUNT NO.		STATEMENT DATE	
ST KER		03/31/90	
REFERENCE	#	BALANCE	
180278	5	12,574 30	
186969	5	12,596 30	
180068	5	12,716 30	
180112	5	12,745 80	
180069	5	12,754 80	
180321	5	13,001 80	
180323	5	13,169 30	
180347	5	13,249 30	
Total Due		13,249 30	
		PAY LAST AMOUNT IN THIS COLUMN	

Los Angeles, March 22, 1995

STANLEY R. KERSTEN, FLOWERS & SERVICE, INC.

OUTSTANDING DEBTS TO :

BADER & FILLER /ATTN: MITCH BADER
AN ACCOUNTANCY CORPORATION
1901 VE OF THE STARS, SUITE 940
LOS ANGELES, CA 90067

4,000.02

PHONE: 310/552-2000
FAX : 310/552-3298

SAM RICKLIN - LESSOR
4373 MONTEITH DRIVE
LOS ANGELES, CA 90043
Phone: 213/294-5335

4 x 3,000.00 12,000.00

16,000.02

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95043663558

TO THE READER OF THE PUBLIC RECORD FILE:

THE GENERAL COUNSEL'S REPORT, DATED APRIL 28, 1995, IN THE MATTER OF 28 U.S.C §2462 - STATUTE OF LIMITATIONS, CONTAINS DISCUSSION OF SEVERAL CASES CURRENTLY UNDER REVIEW BY THE COMMISSION. THAT DISCUSSION HAS BEEN DELETED FROM THE PUBLIC RECORD FILE, AND PAGES FOLLOWING IT HAVE BEEN REDESIGNATED AS (A), (B), ETC.

95043663559

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

Apr 28 4 02 PM '95

In the Matter of

)
) 28 U.S.C. § 2462
) Statute of Limitations
)

GENERAL COUNSEL'S REPORT

SENSITIVE

MAY 16 1995

EXECUTIVE SESSION

I. INTRODUCTION¹

As the Commission is aware, on February 24, 1995, the U.S. District Court for the District of Columbia decided in Federal Election Commission v. National Republican Senatorial Committee, 1995 WL 83006 (D.D.C. 1995) ("NRSC"), that the statute of limitations set forth at 28 U.S.C. § 2462 ("Section 2462") applied to Commission enforcement suits seeking civil penalties, relying upon the D.C. Circuit's opinion in 3M Co. v. Browner, 17 F.3d 1453 (D.C. Cir. 1994). This Report discusses the statute of limitations generally, describes

enforcement matters potentially affected by the NRSC court's conclusion and makes recommendations for each of the potentially affected matters.²

1. This is a combined General Counsel's Report from the Enforcement and Public Financing, Ethics and Special Projects ("PFESP") areas of the Office of the General Counsel.

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In NRSC, Judge Pratt held that the Commission could not seek a civil penalty in conjunction with its civil enforcement action against the defendant for violations of 2 U.S.C. §§ 441a(h) and 434(b) because the 5-year federal catch-all statute of limitations found at 28 U.S.C. § 2462 applied to Commission-initiated enforcement suits seeking civil penalties. The court, however, allowed the Commission's suit to go forward notwithstanding this conclusion, ruling that Section 2462 did not apply to the declaratory and equitable relief also sought by the Commission. Therefore, the court so far has issued no final appealable decision.

On May 17, 1994, in FEC v. Williams, the U.S. District Court for the Central District of California reached the opposite conclusion about the applicability of 28 U.S.C. § 2462 to the Commission's enforcement actions. Mr. Williams' contributions in the name of another took place more than 5 years before the Commission filed its complaint and counsel raised 28 U.S.C. § 2462 as an affirmative defense. However, the court ruled at an oral hearing that the statute of limitations did not apply. Instead, the court awarded the Commission a \$10,000 civil penalty against Mr. Williams for violations of 2 U.S.C. § 441f. FEC v. Williams, No. 93-6321 (C.D. Cal. Jan. 31, 1995), appeal docketed, No. 95-55320 (9th Cir. 1995) ("Williams"). Mr. Williams has filed a notice of appeal regarding, inter alia, the district court's

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statute of limitations decision. Thus, whether and to what extent the statute of limitations at 28 U.S.C. § 2462 will apply to Commission enforcement cases will be before the 9th Circuit shortly, and could also be the subject of a later appeal before the D.C. Circuit in NRSC.³

In light of this conflict between the courts and the pendency of the appeal, this Office believes a decision to close enforcement cases based solely on a conclusion that the 5 year statute of limitations would apply to any potential enforcement suits would be unwarranted. This is especially true since neither 28 U.S.C. § 2462 nor the NRSC decision limits the Commission's authority to complete administrative investigations or seek civil penalties in voluntary conciliation prior to filing suit. Nonetheless, the Office of the General Counsel recognizes that until the statute of limitations is finally resolved by the courts, respondents are likely to raise it as a defense, making settlement more complicated. Thus, even though the Commission is not bound by the NRSC decision in other cases, the Office of the General Counsel believes the Commission should take this issue into consideration on a case-by-case basis when looking at its active and inactive enforcement cases -- particularly those with older activity -- and, in an exercise of its prosecutorial discretion, attempt to bring the matters most vulnerable to

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statute of limitations difficulties to an early administrative disposition.⁴

In order to give the Commission the broadest picture of the possible effect of a statute of limitations on its caseload, this Office has analyzed all enforcement cases where there is FECA-violative activity that will be 5 years old at some point during this year. Section II of this Report gives an overview of principles involved in analyzing the statute of limitations issue, with particular attention to determining when a Commission cause of action might accrue, and when the running of the statute may be tolled by equitable principles. Section III describes how this Office applied these principles to its active and inactive enforcement caseload and the approach used in making its recommendations for Commission action. Section IV includes descriptions of each of the potentially affected enforcement matters, outlines the statute of limitations difficulties this Office foresees for each, and recommends specific Commission action for each potentially affected matter.

II. THE LAW

This section discusses 28 U.S.C. § 2462, the federal catch-all statute of limitations, and issues relating to when the statute begins to run, under what circumstances it may be tolled

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and declaratory and equitable relief available to the Commission even if the statute of limitations has run completely.

A. Accrual

Section 2462 requires commencement of a suit for civil penalties within five years from the date when the claim first accrued.⁵ Thus, as a threshold matter, in considering the potential effect of the limitations period on a particular case, one must determine the complex issue of when the claim first accrued.

1. General Principles

A cause of action normally accrues when the factual and legal prerequisites for filing suit are in place, i.e., at the precise moment when the violation occurred.⁶ However, federal courts have generally applied the discovery rule of accrual, an equitable doctrine under which a claim is considered to have accrued at the time that a potential claimant knew, or through the exercise of reasonable diligence should have known, of the facts underlying the cause of action.⁷

5. 28 U.S.C. § 2462 provides:

Except as otherwise provided by Act of Congress, an action, suit or proceeding for the enforcement of any civil fine, penalty, or forfeiture, pecuniary or otherwise, shall not be entertained unless commenced within five years from the date when the claim first accrued

6. United States v. Lindsay, 346 U.S. 568, 569 (1954).

7. See, e.g., Delaware State College v. Ricks, 449 U.S. 250, 259 (1980) (Court implicitly applied discovery rule to Title VII discrimination suit); United States v. Kubrick, 444 U.S. 111, 122-25 (1979) (court implicitly endorsed discovery rule of accrual, but limited it to discovery of facts underlying a claim,

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The substantial harm theory of accrual can be considered analytically as a particular application of the discovery rule. It is usually advanced in personal injury actions involving latent injuries or injuries difficult to detect, especially in cases of "creeping disease" such as asbestosis. The rule rests on the idea that plaintiffs cannot have a tenable claim for the recovery of damages unless and until they have been harmed. Under the substantial harm theory, therefore, damage claims in cases involving latent injuries or illnesses do not accrue until substantial harm matures or, in other words, until the harm becomes apparent.

The Supreme Court has cautioned against "attempting to define for all purposes when a cause of action first accrues. Such words are to be interpreted in light of the general purposes of the statute and of its other provisions, and with due regard to those practical ends which are to be served by any limitation of the time within which an action must be brought."⁸ Thus, in determining the time of accrual in cases arising under the FECA,

(Footnote 7 continued from previous page)
rather than extending the rule to discovery of legal cause of action); see also Oshiver v. Levin, Fishbein, Sedran & Berman, 38 F.3d 1380, 1386 (3d Cir. 1994); Dixon v. Anderson, 928 F.2d 212, 215 (6th Cir. 1991); Cada v. Baxter Healthcare Corp., 920 F.2d 446, 450 (7th Cir. 1990); Corn v. City of Lauderdale Lakes, 904 F.2d 585, 588 (11th Cir. 1990); Alcorn v. Burlington Northern Railroad Co., 878 F.2d 1105, 1108 (8th Cir. 1989); Lavellee v. Listl, 611 F.2d 1129, 1131 (5th Cir. 1980); Cullen v. Margiotta, 811 F.2d 698, 725 (2d Cir. 1987); Cline v. Brusett, 661 F.2d 108, 110 (9th Cir. 1981); Bireline v. Seagondollar, 567 F.2d 260, 263 (4th Cir. 1977).

8. Crown Coat Front Co., Inc. v. United States, 386 U.S. 503, 517 (1967) (quoting Reading Co. v. Koons, 271 U.S. 58, 62 (1926)).

courts will look to the nature and goals of the FECA versus the interests underlying the five-year limitations period.

2. Accrual in the Context of the FECA

While the discovery rule has been applied in a wide range of cases, originating in the tort context and extending to, inter alia, contract, Title VII, and RICO actions, to date, it appears that only the United States District Court for the District of Columbia has held that the Section 2462 statute of limitations is applicable to the FECA. The court also addressed the precise question of when a cause of action accrues under the FECA. Inasmuch as the district court in NRSC relied on the decision of the Court of Appeals for the District of Columbia in 3M Co. v. Browner, 17 F.3d 1453 (D.C. Cir. 1994) ("3M"), the latter case will be summarized first.

3M was an action brought by the Environmental Protection Agency ("EPA") to impose civil penalties against a company for violations of the Toxic Substances Control Act, wherein the EPA argued that in the exercise of due diligence it could not have discovered the violations earlier. In 3M, the defendant misstated and failed to include information on notices required by the EPA. The court acknowledged that the District of Columbia Circuit has adopted the discovery rule, under which, as discussed above, a claim is considered to have accrued at the time that a claimant knew or should have known of the facts underlying the cause of action. However, the 3M court found that the discovery rule had only been applied in limited circumstances -- those involving remedial, civil claims -- and specifically rejected the discovery

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rule under the circumstances presented, stating that the rule proposed by the EPA in that case was a "discovery of violation" rule. The court concluded that in civil penalty actions the running of the limitations period of Section 2462 is measured from the date of the violation.⁹

In NRSC, a suit arising from violations of the FECA involving excessive contributions and failure to report such contributions to the FEC, the court repeated the options for defining the time of accrual set forth in 3M, stating that a claim accrues "when the defendant commits his wrong or when substantial harm matures." Then, without pinpointing the exact time of accrual, and without specifically attempting to define accrual in the FECA context, the court held that the FECA claim accrued "considerably before the end of the [FEC's] administrative process." While the district court's accrual finding was imprecise, Judge Pratt's construction of 3M suggests that the discovery rule of accrual may be rejected in FECA claims brought in that Circuit.

On the other hand, the Court of Appeals for the Third Circuit, in considering a citizens' suit brought under the Clean

9. In 3M, the court cited the Supreme Court's decision in Unexcelled Chemical Corp. v. United States, 345 U.S. 59 (1953), which was a suit for liquidated damages against a government contractor for unlawfully employing child labor. As the 3M decision noted, in that case, the Supreme Court held that "a cause of action is created when there is a breach of duty owed the plaintiff. It is that breach of duty, not its discovery, that normally is controlling." However, the Supreme Court's focus was the question of whether the claim accrued at the time of the violation versus after it had been administratively determined that the contractor was liable. The Court was not concerned specifically with the question of whether the claim accrued at the time of the violation versus when the plaintiff knew or should have known of the facts underlying the claim.

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Water Act, which has statutory self-reporting requirements comparable to the FECA, held the Section 2462 statute of limitations applicable and embraced the discovery rule. There, the Third Circuit held that since the defendant was responsible for filing reports under the Act and the public could not reasonably be deemed to have known about any violation until the defendant filed the report, the cause of action did not accrue until the reports listing the violations were filed.¹⁰ A district court in Virginia¹¹ has also embraced this discovery rule for determining accrual under the Clean Water Act.¹²

B. EQUITABLE TOLLING

There are instances in which a court may determine that equitable considerations require the statute of limitations to be tolled. Such a determination is made on a case-by-case basis and

10. Public Interest Research Group v. Powell Duffryn Terminals, Inc., 913 F.2d 64, 75 (3d Cir. 1990), cert. denied, 498 U.S. 1109 (1991).

11. United States v. Hobbs, 736 F. Supp. 1406 (E.D. Va. 1990).

12. Various other circuit courts have grappled with the question of when the federal five-year statute of limitations of Section 2462 begins to run, but these cases, which have produced conflicting rulings, have all involved actions to recover civil penalties rather than actions to impose them. Compare United States Dept. of Labor v. Old Ben Coal Co., 676 F.2d 259 (7th Cir. 1982) (in action to recover civil penalty, claim accrues only after administrative proceeding has ended, penalty has been assessed, and violator failed to pay) and United States v. Meyer, 808 F.2d 912 (1st Cir. 1987) (in civil penalty enforcement action limitations period is triggered on date civil penalty is administratively imposed) with United States v. Core Laboratories Inc., 759 F.2d 480 (5th Cir. 1985) (in suit to recover civil penalty limitations period begins to run on date of underlying violation).

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is referred to as equitable tolling.¹³ Equitable tolling presumes claim accrual and steps in to toll, or stop, the running of the statute of limitations in light of established equitable considerations.¹⁴ The most fundamental rule of equity is that a party should not be permitted to profit from its own wrongdoing.

There are three principal situations in which equitable tolling may be appropriate: (1) where the defendant has actively misled the plaintiff regarding the plaintiff's cause of action; (2) where the plaintiff in some extraordinary way has been prevented from asserting his or her rights; and (3) where the

13. Some courts have pointed out that, in instances where the defendant has taken active steps to prevent the plaintiff from suing, e.g., in cases involving fraudulent concealment, the tolling of the statute of limitations is more appropriately referred to as equitable estoppel. See Cada v. Baxter Healthcare Corp., 920 F.2d 446, 450-51 (7th Cir. 1990).

14. Courts have held that statutes of repose cannot be extended by federal tolling principles, see Baxter Healthcare, 920 F.2d at 451; First United Methodist Church of Hyattsville v. United States Gypsum Company, 882 F.2d 862 (4th Cir. 1989). While statutes of repose and statutes of limitations have sometimes been referred to interchangeably, a statute of repose is legally distinguishable from a statute of limitations. Whereas a statute of limitations is a procedural device motivated by considerations of fairness to the defendant, a statute of repose is a substantive grant of immunity after a legislatively determined period of time and is based on the economic interest of the public as a whole and a legislative balance of the respective rights of potential plaintiffs and defendants. See First United Methodist Church, *supra*. To date, this Office's research has revealed no instances in which a court has held that Section 2462 is a statute of repose in the legal sense and, therefore, held tolling principles to be inapplicable. Indeed, in 3M, the court noted the potential applicability of the doctrine of fraudulent concealment to Section 2462. See 3M, 17 F.3d at 1461, n.15.

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plaintiff has timely asserted his or her rights mistakenly in the wrong forum.¹⁵

1. Doctrine of Fraudulent Concealment

The Supreme Court has defined the doctrine of fraudulent concealment as the rule that "where a plaintiff has been injured by fraud and remains in ignorance of it without any fault or want of diligence or care on his part, the bar of the statute does not begin to run until the fraud is discovered, though there be no special circumstances or efforts on the part of the party committing the fraud to conceal it from the knowledge of the other party." Holmberg v. Armbrecht, 327 U.S. 392, 397 (1946). The Court went on to state that this equitable doctrine is read into every federal statute of limitation. Id.

The doctrine, as applied by the circuit courts of appeal, requires the plaintiff to plead¹⁶ and prove three elements:

15. School District of City of Allentown v. Marshall, 657 F.2d 16, 19-20 (3d Cir. 1981) (quoting Smith v. American President Lines, Ltd., 571 F.2d 102, 109 (2d Cir. 1978)). It should also be noted that statutes of limitations are subject to waiver and may be tolled by agreement of the parties. See Zipes v. Trans World Airlines, Inc., 455 U.S. 385, 393 (1982).

16. Pleading requirements for fraudulent concealment are very strict. Some courts invoke Fed. R. Civ. P. 9(b) and require a plaintiff to meet the pleading requirements for fraud. See Dayco Corp. v. Goodyear Tire & Rubber Co., 523 F.2d 389, 394 (6th Cir. 1975). Other courts, while not specifically invoking Rule 9, still require specificity and particularity in pleading. See Rutledge v. Boston Woven Hose & Rubber Co., 576 F.2d 248, 250 (9th Cir. 1978); Weinberger v. Retail Credit Co., 498 F.2d 552, 555 (4th Cir. 1974).

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- (1) use of fraudulent means by the defendant;
- (2) plaintiff's failure to discover the operative facts that are the basis of his cause of action within the limitations period; and
- (3) plaintiff's due diligence until discovery of the facts.

State of Colorado v. Western Paving Construction, 833 F.2d 867, 874 (10th Cir. 1987).

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The first prong of the plaintiff's burden under the doctrine - the use of fraudulent means by the defendant - warrants some elaboration. The courts have generally held that to establish this element of the doctrine one of two facts must be shown: 1) that fraud is an inherent part of the violation so that the violation conceals itself; or 2) that the defendant committed an affirmative act of concealment - a trick or contrivance intended to exclude suspicion or prevent inquiry.¹⁷ These approaches to establishing the first element of the doctrine of fraudulent concealment have been referred to, respectively, as the self-concealing theory and the subsequently concealed theory. By contrast, the courts have pointed out that silence, without some fiduciary duty, never satisfies this element.¹⁸

17. See Riddell v. Riddell Washington Corp., 866 F.2d 1480, 1491 (D.C. Cir. 1989); State of Colorado v. Western Paving Construction, 833 F.2d at 876-78.

18. See Rutledge v. Boston Woven Hose & Rubber Co., 576 F.2d 248, 250 (9th Cir. 1978); Dayco Corp. v. Firestone Tire & Rubber Co., 386 F. Supp. 546, 549 (N.D. Ohio 1974), aff'd sub. nom., Dayco Corp. v. Goodyear Tire & Rubber Co., 523 F.2d 389 (6th Cir. 1975). Some courts have also held that a denial of an accusation of wrongdoing does not constitute fraudulent concealment. See King & King Enters. v. Champlin Petroleum Co., 657 F.2d 1147, 1155 (10th Cir. 1981), cert. denied, 454 U.S. 1164 (1982); but see Rutledge, supra ("denying wrongdoing may constitute fraudulent concealment where the circumstances make the plaintiff's reliance upon the denial reasonable").

Where the plaintiff establishes all three of the required elements, the doctrine provides the plaintiff with the full statutory limitations period, starting from the date the plaintiff discovers, or with due diligence could have discovered, the facts supporting the plaintiff's cause of action.

2. Inducement Due to Intentional or Unintentional Misrepresentation

In cases where the plaintiff has refrained from commencing suit during the period of limitation because of inducement by the defendant, the Supreme Court has found the statutory period tolled because of the conduct of the defendant. See Glus v. Brooklyn Eastern Terminal, 359 U.S. 231 (1973). Under the facts of Glus, supra, the plaintiff averred that the defendant had fraudulently or unintentionally misstated information upon which the plaintiff relied in withholding suit.

3. Subpoena Enforcement

Several district courts have tolled other statutes of limitations in circumstances where the plaintiff was forced to initiate subpoena enforcement proceedings to uncover facts underlying the cause of action.¹⁹ While research to date has not revealed specific instances in which a court has tolled the Section 2462 statute of limitations because the plaintiff was

19. EEOC v. Gladieux Refinery, Inc., 631 F. Supp. 927, 935-36 (N.D. Ind. 1986) (Court held that the statute of limitations was tolled during the time between issuance of subpoena and enforcement because defendant did not have valid basis for not complying with subpoena); EEOC v. City of Memphis, 581 F. Supp. 179, 182 (W.D. Tenn. 1983) (Court held that the statute of limitations was tolled until documents sought in subpoena were made available to EEOC).

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forced to initiate subpoena enforcement proceedings, Section 2462 is sufficiently similar to those statutes which courts have tolled to suggest that the same result would be appropriate. Further, a good argument could be made for equitably tolling Section 2462 in such circumstances because defendants' refusal to comply with the Commission's subpoenas, whether that refusal is reasonable or otherwise, frustrates the Commission's ability to bring the action within the limitations period. Not tolling the statute of limitations in such circumstances while allowing defendants to plead the statute of limitations as an affirmative defense to actions brought by the Commission would allow defendants to profit from refusing to comply with subpoenas, and thus "offer a tempting method of defeating the basic purpose of [the Act]."²⁰

4. Continuous Violation Theory

The continuous violation theory is another theory that operates to toll statutes of limitations. In the case of a continuing violation, the violation is not complete for purposes of the statute of limitations as long as the proscribed course of conduct continues, and the statute of limitations does not begin to run until the last day of the continuing offense.²¹

The Supreme Court has cautioned that continuing offenses are not to be too readily found, explaining in the criminal context that "such a result should not be reached unless the

20. See Hodgson v. International Printing Press, 440 F.2d 1113, 1119 (6th Cir. 1973).

21. See Fiswick v. United States, 329 U.S. 211, 216 (1946); United States v. Butler, 792 F.2d 1528, 1532-33 (11th Cir. 1986).

explicit language of the substantive criminal statute compels such a conclusion, or the nature of the crime involved is such that Congress must assuredly have intended that it be treated as a continuing one." Toussie v. United States, 397 U.S. 112, 115 (1970). Thus, the question of whether a violation is a continuing one is largely a matter of statutory interpretation involving the precise statutory definition of the violation.

Courts will generally not find that a violation is continuous absent clear language in the statute.²²

C. Declaratory Relief and Equitable Remedies

The limitations period set forth in 28 U.S.C. § 2462 applies only to suits for civil penalties. Section 2462, by its own terms, has no bearing on suits in equity.²³ The following is a purely exemplary, non-exhaustive list of various forms of equitable relief that may be available. It should be noted that it is within the discretion of the courts to grant or withhold

22. Compare Toussie, 397 U.S. 112 (1970) (Court held that failure register for draft was not continuing violation where draft statute contained no language that clearly contemplated continuing offense, and regulation under Act referring to continuing duty to register was insufficient, of itself, to establish continuing offense) with United States v. Cores, 356 U.S. 405 (1958) (statute prohibiting alien crewmen from remaining in United States after permits expired contemplated continuing offense where conduct proscribed is the affirmative act of willfully remaining, and crucial word "remains" permits no connotation other than continuing presence). See also Keystone Insurance Company v. Houghton, 863 F.2d 1125 (3d Cir. 1988) (In RICO action, court held that language of the Act, which makes a pattern of conduct the essence of the crime, "clearly contemplates a prolonged course of conduct."); West v. Philadelphia Electric Co., 45 F.3d 744 (3d Cir. 1995) (Court applied continuing violation theory where cause of action required showing of intentional, pervasive, and regular racial discrimination).

23. See Hobbs, 736 F. Supp. at 1410; NRSC, 1995 WL 83006, at *4.

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equitable remedies and courts will exercise that discretion on a case-by-case basis in light of the particular circumstances of each case.

o **Declaratory Judgment** - A declaratory judgment is a court judgment which establishes the rights of parties or expresses the opinion of the court on a question of law without the court necessarily ordering anything to be done. While a declaratory judgment is similar in some respects to an advisory opinion, unlike the latter, a declaratory judgment is rendered in an adversarial proceeding and is legally binding on all the parties involved.

o **Disgorgement** - Disgorgement is aimed at preventing the unjust enrichment of a wrongdoer. The disgorgement remedy takes away "ill-gotten gains," thereby depriving a respondent of wrongfully obtained proceeds and returning the wrongdoer to the position the wrongdoer was in before the proceeds were wrongfully obtained.

o **Injunction** - A prohibitory injunction is a court order that requires a party to refrain from doing or continuing a particular act or activity. Prohibitory injunctions are generally considered preventative measures which guard against future acts rather than affording remedies for past wrongs.

By contrast, a mandatory injunction is a type of injunction that requires some positive action. A mandatory injunction (1) commands the respondent to do a particular thing; (2) prohibits the respondent from refusing (or persisting in refusing) to do or permit some act to which the plaintiff has a legal right; or (3) restrains the respondent from permitting his previous wrongful act to continue to take effect, thus virtually compelling him or her to undo it. A conciliation agreement provision that requires a committee to amend its reports in conformance with the Act is similar in effect to a mandatory injunction, albeit one entered into voluntarily and without court order. In addition, the creative forms of equitable relief listed below are examples of possible mandatory injunctions that the Commission might seek in court.

o **Creative Forms of Equitable Relief**

- require defendant(s) to notify the public that the defendant(s) violated the FECA, e.g., bulletin board posting.
- require additional reporting relevant to preventing future violations of the type committed.
- require defendant(s) to put different procedures in place to prevent future violations of the type committed.
- require defendant(s) to take courses to become familiar with the requirements of the FECA.

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III. ANALYSIS

This section outlines the underlying legal assumptions and other factors considered by this Office in evaluating and making recommendations for each of the potentially affected cases discussed in Section IV, infra. As a preliminary matter, this Office notes that it has reviewed all of the active and inactive enforcement matters where there appears to have been FECA-violative activity prior to January 1, 1991 that will thus be at least 5 years old by the end of this year. By selecting the cases in this manner, this Office has attempted to bring to the Commission's attention all of the matters where, were the NRSC decision applied, the statute of limitations might run this year.²⁴

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This Office has assumed for purposes of these recommendations the possibility of a uniform application of the Section 2462 statute of limitations to the FECA in all circuits

This Office has further assumed that it is possible courts will deem claims arising under the FECA to have accrued at the precise moment that the violation occurred.

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In setting forth the case summaries, this Office has divided its discussion into three sections.

The third

section analyzes

matters which this Office

recommends that the Commission not pursue.

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IV. CASE DISCUSSIONS

This section provides brief descriptions of enforcement matters assigned to the Public Financing, Ethics and Special Projects and Enforcement areas, including the Central Enforcement Docket.

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3. Cases this Office Recommends the Commission Close

MUR 2984 (Robert Johnson et al.)

This matter involves 1988 corporate fundraising mailings for the 1988 Bush/Quayle campaign and a pattern of contributions made in the name of another, resulting in knowing and willful probable cause findings for violations of 2 U.S.C. §§ 441f, 441b(a), and 441d(a) against the individual and corporate actors.

Of the respondents still open in the matter, Robert G. Johnson and E. Kenneth Twichell were formally referred to the Department of Justice for criminal prosecution; Mr. Johnson pled guilty to felony perjury for lying under oath in a Commission deposition and Mr. Twichell pled guilty to obstructing the Commission's investigation. The corporate respondents, all closely tied to Mr. Johnson, were neither pursued nor prosecuted during the criminal proceeding. As this Office has reported, Mr. Johnson's remaining sentence was stayed based on NRA arguments

No action has taken place since the Supreme Court dismissed the Commission's appeal in NRA, and whether Mr. Johnson will have to serve the balance of his sentence is still unclear.

All of the transactions underlying FECA liability date from 1988, thus posing an obstacle under 28 U.S.C. § 2462

in the event the Commission chose to litigate this matter to obtain civil penalties. The Commission found probable cause in January of 1992, but then referred the matter to the Department of Justice, and resumed proceedings in late 1993 after resolution of the criminal proceedings. Prosecutorial discretion strongly counsels against further pursuing the remaining respondents in this matter. The

age of the activity as compared to other pending matters, and the desirability of making public the Commission's initiating role in the prosecution of Mr. Johnson argue in favor of closing this matter.

For the reasons outlined above, this Office recommends the Commission take no further action with respect to the remaining respondents in this matter and close the file.

Staff Assigned: Jonathan Bernstein and Colleen Sealander

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MUR 3182 (Kentucky Democratic Party, et al.)

This matter, a merger of MURs 3145 and 3182, involves television ads broadcast by the Kentucky Democratic Party during the 1990 general election campaign on behalf of the Democratic Party's Senatorial candidate, Dr. Harvey Sloane. The complaints allege that the ads were prepared by the Sloane campaign's media consultant, paid for by the Kentucky Democratic party's nonfederal account, and financed in part by contributions from the ATLA PAC and from Mary C. Bingham. Mrs. Bingham recently passed away.

Most of the outstanding issues in this matter occurred in the Fall of 1990, slightly less than five years ago. Thus, it does not appear that the Commission would presently be barred from seeking a civil penalty even under the strictest reading of Section 2462. In order for the Commission to obtain a judicially imposed civil penalty in this matter, civil suit must be filed by November of 1995. Yet, even if the Commission were to devote substantial resources to this matter, it is virtually inconceivable that the deadline would be met.

First, in order to proceed, the Commission must review and revoke its earlier determinations in this matter to comply with the NRA opinion. Second, this matter is still in the investigatory stage and further investigation appears necessary. Third, the issues are complex and the two staff attorneys previously assigned to this matter have been transferred to other areas of this agency. Moreover, the allocation regulations at issue in this matter are no longer in effect, having been revised in 1991

Finally, it does not appear that equitable relief would be appropriate here as the only feasible remedy we may obtain is injunctive relief on the misallocation issue: The Sloan Committee has virtually no money for disgorgement and Sloan has never been a candidate in any other federal election. In view of all the foregoing, this Office recommends the Commission take no further action and close this file.

Staff Assigned: Lisa Klein (pending reassignment)

MUR 3228 (Dahlson for Congress, et al.)

This matter was generated by a referral from the Commission's Reports Analysis Division, and involves the subsidization of the campaign by a corporation associated with the candidate (§ 441b(a)) and the misreporting of one of the corporate loans (§ 434(b)). Specifically, the candidate funneled approximately \$47,000 in corporate funds to the campaign through his personal checking account, thus concealing the true source of the funds. The candidate/corporate loans took place from May to October 1990. Further, the committee misreported the source of a May 2, 1990 direct contribution from the corporation (\$10,000) in its 12-Day Pre-Primary report filed May 21, 1990. Consequently, assuming 28 U.S.C. § 2462 applies, the Commission might be unable to obtain a judicially imposed civil penalty for most of the violations as early as May of this year.

This matter is presently in the investigative stage after an unsuccessful attempt at pre-probable cause conciliation. Most recently, on March 2, 1995, this Office interviewed the campaign's treasurer. The interview established that the treasurer was not involved in the committee's receipt of the funneled corporate contributions and that the misreporting may have resulted from innocent error. Consequently, the available evidence suggests that the candidate Roy Dahlson was the individual chiefly responsible for the violations in this matter.

Additional investigation would be necessary -- including the taking of depositions -- to prove that the § 441b(a) violations by Mr. Dahlson are knowing and willful. This investigation and the subsequent procedural stages leading to litigation would have to be completed in the most expeditious fashion. This Office recommends that the Commission forgo this course. Mr. Dahlson was a one-time candidate who won the primary election but lost the general election with 35% of the vote. Mr. Dahlson is now retired. Accordingly, this matter does not warrant the expenditure of resources necessary for its most expeditious completion and resolution. Therefore, this Office recommends that the Commission take no further action in this matter and close the file.

Staff Assigned: Jonathan Bernstein and Jose Rodriguez

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**NUR 3787 (Georgia Republican Party)
Public Financing, Ethics and Special Projects**

This case involves violations committed during the 1988 election cycle. In particular, an audit of the Georgia Republican Party ("the Party") revealed that the Party accepted \$20,350 in excessive contributions from five individuals that were not resolved in a timely manner. Similarly, the Party accepted \$13,403 in prohibited contributions that were not resolved in a timely manner. The Party also did not properly document approximately \$333,270 in individual contributions. In addition, the Commission found reason to believe that the respondent violated 2 U.S.C. § 441a(f) by paying phone bank employees to conduct get-out-the-vote activities and voter identification on behalf of the Bush-Quayle campaign.

The Party admits that it erred in accepting the prohibited and excessive contributions, but urged the Commission to accept as a mitigating factor the fact that it rid its accounts of the impermissible amounts upon discovery. Similarly, the Party concedes that it failed to keep adequate records for certain contributions, but asserts that a large portion of those receipts were \$35 contributions which it did not believe it was required to document. Finally, this Office has concluded that documentation and affidavits furnished by the Party demonstrate that only \$26,700 of the more than \$300,000 in Party expenditures made for get-out-the-vote and voter identification activities amounted to impermissible contributions by the Party.

Although it may be possible to enjoin similar conduct in future elections, the Party has acknowledged that it violated the Act. Accordingly, assuming that the NRSC decision is followed and judicially-imposed civil penalties are time-barred

then in light of the age of this case and the ordering of the Commission's priorities, we recommend that the Commission take no further action in this matter and close the file. If the Commission adopts this recommendation, the notification letter to the Party will contain appropriate admonishment language.

Staff Assigned: Kenneth E. Kellner and Jane Whang

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MUR 3973 (Bob Davis)

This matter stems from a House Bank Task Force referral indicating that former Representative Bob Davis used his committee's petty cash to make disbursements in excess of \$100. Between 1988 and 1992, the committee reported disbursing \$22,708 in petty cash disbursements, \$16,567 of which was reported as having been disbursed by Mr. Davis. In May of last year the Commission found reason to believe that Mr. Davis, his committee and its treasurer violated 2 U.S.C. § 432(h)(1), and that his committee and its treasurer additionally violated 2 U.S.C. § 432(h)(2) for failing to maintain a petty cash journal as required. However, because RAD had allowed the committee to terminate some months before, the Commission took no further action with respect to the committee's violations. Thus, only Mr. Davis remains a respondent in the case.

Of the \$22,708 in petty cash, all but approximately \$9,400 was disbursed prior to 1991. Thus, if 28 U.S.C. § 2462 applies, the Commission might be time-barred from obtaining a judicially imposed civil penalty for a substantial portion of the petty cash.

While our inquiries have confirmed that the committee kept no petty cash journal, that it possesses receipts for only a portion of its cash transactions, and that a small number of the disbursements exceeded \$100, it now appears that Mr. Davis' role in the committee's petty cash was de minimus. Affidavits from two members of Mr. Davis' congressional staff and one from his former campaign treasurer state that while Mr. Davis was the payee of many of the checks, and was reported as same, this was to enable the staff to easily cash the checks at the Wright-Patman Federal Credit Union. In fact, the affiants maintain, the majority of the petty cash was disbursed by the campaign and congressional staff and not Mr. Davis.

Given the age of these violations, the fact that Mr. Davis is no longer a candidate for federal office and his apparently limited personal involvement in his committee's petty cash violations, this Office recommends the Commission take no further action in MUR 3973 and close the file.

Staff Assigned: Jonathan Bernstein and Colleen Sealander

95043663586

**MUR 4013 (National Freedom PAC)
Public Financing, Ethics and Special Projects**

This matter involves chronic reporting violations and the apparent commingling of Committee funds with the personal funds of the Committee's treasurer, Rick Woodrow. The respondents are the³¹ Committee and Mr. Woodrow. The material events occurred in 1990.

This is an inactive, internally generated matter. Assuming that the NRSC decision is followed and judicially-imposed civil penalties are time-barred then in light of the age of the violations at issue.

this Office recommends that the Commission take no further action with respect to this matter and close the file.

Staff Assigned: Kenneth E. Kellner and Delanie Dewitt Painter

31. On July 20, 1994, MUR 3516 was merged with MUR 4013. In MUR 3516, which arose out of a RAD referral, the Commission found reason to believe that National Freedom PAC committed reporting violations.

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V. RECOMMENDATIONS

Take no further action, close the file and approve the appropriate letters in the following matters:

- 1) MUR 2984
- 2) MUR 3182
- 3) MUR 3228
- 4) MUR 3787
- 5) MUR 3973
- 6) MUR 4013

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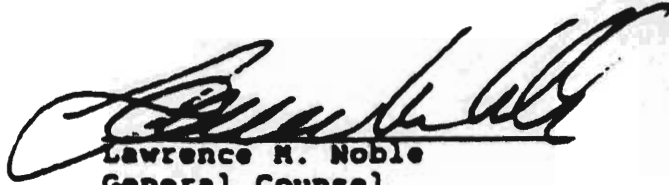
With regard to MUR 3492:

- 1) Accept the attached conciliation counteroffer.
- 2) Close the file.
- 3) Approve the appropriate letter.

95043663589

- 4) Approve the appropriate letters.

4/28/75
Date


Lawrence M. Noble
General Counsel

Staff Assigned

Staff members assigned to each of the potentially affected matters prepared their respective case discussions; the PFESP cases were coordinated by Jim Portnoy; Tracey Ligon drafted the legal section; and Colleen Sealander combined the parts into one document.

95043663520

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
28 U.S.C. § 2462

)
) Multiple MURS
)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on May 16, 1995, do hereby certify that the Commission took the following actions with respect to the above-captioned matter:

1. Decided by a vote of 6-0 to take no further action, close the file and approve the appropriate letters in the following matters.

MUR 3182
MUR 3228
MUR 3973
MUR 4013

Commissioners Aikens, Elliott, McDonald, McGarry, Potter, and Thomas voted affirmatively for the decision.

2. Decided by a vote of 5-0 to take no further action, close the file and approve the appropriate letters in the following matters:

MUR 2984
MUR 3787

Commissioners Aikens, Elliott, McDonald, McGarry, and Thomas voted affirmatively for the decision. Commissioner Potter recused himself with respect to these matters and was not present during their consideration.

Attest:

5-18-95
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

95043663591



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 28, 1995

Mr. Stanley R. Kersten
734 S. San Julian Street
Los Angeles, CA 90014

RE: MUR 3228
Dahlson for Congress, et al.


Dear Mr. Kersten:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public.

Although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote.

If you have any questions, please contact me at (800) 424-9530.

Sincerely,


Jose Rodriguez
Attorney



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 28, 1995

Mr. Norman A. Lewin, Esq.
One Park Plaza
3250 Wilshire Blvd
Suite 1750
Los Angeles, CA 90010

RE: MUR 3228
Alfred L. Nilsson

Dear Mr. Lewin:

On February 26, 1991, the Federal Election Commission found reason to believe that Alfred L. Nilsson, as treasurer of the Dahlson for Congress committee violated 2 U.S.C. §§ 441b(a) and 434(b), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Following the D.C. Circuit's decision in PEC v. NRA Political Victory Fund, 6 F.3d 821 (D.C. Cir.), petition for cert. dismissed for want of jurisdiction, 115 S.Ct. 537 (1994), declaring the Commission to be unconstitutional as then-structured, the Commission reconstituted itself as a six-member body and, on January 25, 1994, revoked its previous reason to believe findings with respect to your client.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and take no further action against Alfred L. Nilsson. See attached narrative. Accordingly, the Commission closed its file in this matter on May 16, 1995.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

Mr. Norman A. Lewin, Esq.
Page 2

If you have any questions, please contact me at (202)
219-3690.

Sincerely,


Jose Rodriguez
Attorney

Attachment
Narrative

95043663594

95043663595

NUR 3228 (Dahlson for Congress, et al.)

This matter was generated by a referral from the Commission's Reports Analysis Division, and involves the subsidization of the campaign by a corporation associated with the candidate (§ 441b(a)) and the misreporting of one of the corporate loans (§ 434(b)). Specifically, the candidate funneled approximately \$47,000 in corporate funds to the campaign through his personal checking account, thus concealing the true source of the funds. The candidate/corporate loans took place from May to October 1990. Further, the committee misreported the source of a May 2, 1990 direct contribution from the corporation (\$10,000) in its 12-Day Pre-Primary report filed May 21, 1990. Consequently, assuming 28 U.S.C. § 2462 applies, the Commission might be unable to obtain a judicially imposed civil penalty for most of the violations as early as May of this year.

This matter is presently in the investigative stage after an unsuccessful attempt at pre-probable cause conciliation. Most recently, on March 2, 1995, this Office interviewed the campaign's treasurer. The interview established that the treasurer was not involved in the committee's receipt of the funneled corporate contributions and that the misreporting may have resulted from innocent error. Consequently, the available evidence suggests that the candidate Roy Dahlson was the individual chiefly responsible for the violations in this matter.

Additional investigation would be necessary -- including the taking of depositions -- to prove that the § 441b(a) violations by Mr. Dahlson are knowing and willful. This investigation and the subsequent procedural stages leading to litigation would have to be completed in the most expeditious fashion. This Office recommends that the Commission forgo this course. Mr. Dahlson was a one-time candidate who won the primary election but lost the general election with 35% of the vote. Mr. Dahlson is now retired. Accordingly, this matter does not warrant the expenditure of resources necessary for its most expeditious completion and resolution. Therefore, this Office recommends that the Commission take no further action in this matter and close the file.

Staff Assigned: Jonathan Bernstein and Jose Rodriguez



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

June 28, 1995

Mr. Roderick D. Fong, Esq.
O'Rourke, Stafford, Allan & Fong
104 North Belmont, 3rd Floor
PO Box 10220
Glendale, CA 91209-3220

RE: MUR 3228
Roy Dahlson
Dahlson for Congress
Jack Mayesh Wholesale
Florist, Inc.

Dear Mr. Fong:

On February 26, 1991, the Federal Election Commission found reason to believe that Dahlson for Congress violated 2 U.S.C. §§ 441b(a) and 434(b), and that Roy Dahlson and Jack Mayesh Wholesale Florist, Inc., violated 2 U.S.C. § 441b(a), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Following the D.C. Circuit's decision in FEC v. NRA Political Victory Fund, 6 F.3d 821 (D.C. Cir.), petition for cert. dismissed for want of jurisdiction, 115 S.Ct. 537 (1994), declaring the Commission to be unconstitutional as then-structured, the Commission reconstituted itself as a six-member body and, on January 25, 1994, revoked its previous reason to believe findings with respect to your clients.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and take no further action against Roy Dahlson, Dahlson for Congress or Jack Mayesh Wholesale Florist, Inc. See attached narrative. Accordingly, the Commission closed its file in this matter on May 16, 1995.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

Celebrating the Commission's 20th Anniversary


YESTERDAY TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

95043663596

Mr. Roderick D. Fong, Esq.
O'Rourke, Stafford, Allan & Fong
Page 2

If you have any questions, please contact me at (202)
219-3690.

Sincerely,


Jose Rodriguez
Attorney

Attachment
Narrative

95043663597

95043663598
MUR 3228 (Dahlson for Congress, et al.)

This matter was generated by a referral from the Commission's Reports Analysis Division, and involves the subsidization of the campaign by a corporation associated with the candidate (§ 441b(a)) and the misreporting of one of the corporate loans (§ 434(b)). Specifically, the candidate funneled approximately \$47,000 in corporate funds to the campaign through his personal checking account, thus concealing the true source of the funds. The candidate/corporate loans took place from May to October 1990. Further, the committee misreported the source of a May 2, 1990 direct contribution from the corporation (\$10,000) in its 12-Day Pre-Primary report filed May 21, 1990. Consequently, assuming 28 U.S.C. § 2462 applies, the Commission might be unable to obtain a judicially imposed civil penalty for most of the violations as early as May of this year.

This matter is presently in the investigative stage after an unsuccessful attempt at pre-probable cause conciliation. Most recently, on March 2, 1995, this Office interviewed the campaign's treasurer. The interview established that the treasurer was not involved in the committee's receipt of the funneled corporate contributions and that the misreporting may have resulted from innocent error. Consequently, the available evidence suggests that the candidate Roy Dahlson was the individual chiefly responsible for the violations in this matter.

Additional investigation would be necessary -- including the taking of depositions -- to prove that the § 441b(a) violations by Mr. Dahlson are knowing and willful. This investigation and the subsequent procedural stages leading to litigation would have to be completed in the most expeditious fashion. This Office recommends that the Commission forgo this course. Mr. Dahlson was a one-time candidate who won the primary election but lost the general election with 35% of the vote. Mr. Dahlson is now retired. Accordingly, this matter does not warrant the expenditure of resources necessary for its most expeditious completion and resolution. Therefore, this Office recommends that the Commission take no further action in this matter and close the file.

Staff Assigned: Jonathan Bernstein and Jose Rodriguez



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

THIS IS THE END OF MUR # 3228

DATE FILMED 7/27/95 CAMERA NO. 1

CAMERAMAN EES

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